

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39143 of 2022

Arising Out of PS. Case No.-143 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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Rakesh Kumar S/O Dinesh Yadav, Resident of Village- Azad Tola Ward No.-
9, P.S. and District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 27-08-2022 Let the defects, as pointed out by the Office, be

removed within a period of two weeks from today.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks regular bail in connection with

Madhepura Excise P.S. Case No. 143 of 2022 alleged under

Sections 30(a) of Bihar Prohibition and Excise Amendment Act,

2018.

As per the prosecution, total 174.84 litres of foreign

liquor were alleged to be recovered from the dicky of *Tata*

Sumo.

Learned counsel for the petitioner submits that

petitioner is innocent and completely unaware that how those

excise material come to the dicky of his vehicle. He further submits that charge sheet has already been submitted and petitioner is in custody since 17.04.2022 having clean antecedent.

Learned APP opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IV-Cum-Special Judge (Excise) Madhepura in connection with Madhepura Excise P.S. Case No. 143 of 2022, subject to the conditions as laid down under Section 437(3) Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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