

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57206 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- DEWARIA District- Muzaffarpur

RAKESH KUMAR @ RAKESH KUMAR KHARWAR S/o RAM
CHANDAR PRASAD KHARWAR R/o VILLAGE-DEWARIYA
KHARWAR TOLA, P.S-DEWARIYA, DISTRICT- MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 29-04-2022 Heard Mr. Subhash Kumar, learned Advocate for the
petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Dewariya P.S. Case No. 40 of 2021 dated 21.03.2021 instituted for the offences under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

Though 8.28 litres of liquor is alleged to have been recovered from the hut belonging to the petitioner but the same is vehemently denied by him.

The place of recovery does not belong to the petitioner.

For the reason that the petitioner, as a grocery shop



owner, has not been giving merchandise on credit to the members of the police party, this case has been lodged.

The petitioner does not have criminal antecedents.

Considering the afore-noted facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur in connection with Dewariya P.S. Case No. 40 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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