

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51684 of 2022

Arising Out of PS. Case No.-175 Year-2022 Thana- JAYNAGAR District- Madhubani

Rahul Kumar S/o Sunil Sah Resident of Village- Subhankarpur, P.S.-
Vishvbidalay, District- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Adv.

For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Jaynagar P.S. Case No. 175 of 2022 lodged under Section 414 of
the I.P.C. read with Section 30(a) of Bihar Prohibition and
Excise Act, 2016.

As per the prosecution case, the total recovery of 69
litre wine has been made from the *Auto* is the subject matter of
the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Learned
counsel submits that antecedent of the petitioner is clean and he
is in custody since 11.06.2022. Charge sheet has already filed in
this case. Learned counsel submits that petitioner is

apprehended by the police from the place of occurrence only on the basis of suspicion.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this 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 Sessions Judge-II, Special Judge, Excise Act. Madhubani in connection with Jaynagar P.S. Case No. 175 of 2022, subject to the conditions as laid down under Section 437(3) of 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 be resulted into cancellation of his bail bond.

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

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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