

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51077 of 2022

Arising Out of PS. Case No.-366 Year-2022 Thana- RAJAON District- Banka

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Sourav Kumar @ Golu Son of Late Vijay Modi R/V- Jogiya, P.S- Goradiah,
Dist- Bhagalpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr.Sucheta Yadav,APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Rajaon (Nabada) P.S. Case No. 366 of 2022
registered for the alleged offences under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2016.

As per prosecution case, total 241.5 litres of India
made foreign liquor was recovered from a Bolero car, during a
routine check-up. The petitioner was apprehended from the spot
after being chased.

The learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. The petitioner has no knowledge about the allegedly



recovered liquor which was kept in the said vehicle. The petitioner is having clean antecedent. The petitioner is in custody since 30.07.2022 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and further considering his clean antecedent along with his period of custody and the submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-IIInd, Banka in connection with Rajaon (Nabada) P.S. Case No. 366 of 2022, subject to the other conditions under Section 437(3) of the Cr.P.C. and following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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