

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54418 of 2022

Arising Out of PS. Case No.-357 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Rahul Kumar, Son of Dilip Singh @ Dilip Kumar, Resident of Village -
Sihma, P.s.- Matihani, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), if any, 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 Muffasil P.S. Case No. 357 of 2022 registered
for the alleged offences under Section 30(a) of Bihar Prohibition
and Excise (Amendment) Act, 2018.

As per prosecution case, recovery of 160.92 liters of
India made foreign liquor was made from a four wheeler from
which this petitioner and co-accused Sonu Kumar were
apprehended.

Learned counsel for the petitioner submits that the



petitioner has no connection with illicit liquor and he has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner and he has been made accused only because he is the owner of the vehicle in question. Allegedly, seized recovery is the plantation of the police because the petitioner refused to carry the liquor in his vehicle to the police station which was recovered from a bush situated beside a school. The petitioner is in custody since 10.07.2022 and charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedent.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the submission of charge-sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-I, Begusarai in connection with Muffasil P.S. Case No. 357 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the 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 for 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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