

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64859 of 2021

Arising Out of PS. Case No.-242 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Rahul Kumar, Son of Sadhu Yadav, Resident of Village - Bakaro Steel City -4
, Pilgadiya Khatal, P.S.- Sector-4, Distt.- Bokaro (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr.Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 24-06-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Excise Case No. 242 of 2021 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation, 804.600 liters of foreign liquor was recovered from Tata Pick-up Van and the petitioner was apprehended along with the co-accused from the said Van. However, learned counsel for the petitioner has submitted that



nothing has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 06.09.2021. Regarding the antecedent of the petitioner, learned counsel has submitted that he is also made an accused in Excise Case No.34 of 2021 registered under Sections 30 (a), 56 (b) of the Bihar Excise Act, 2018.

Learned APP has opposed the prayer for bail, submitting that the petitioner has been arrested from the spot and he is having criminal antecedent being involved in similar nature of case.

Having regard to the submissions made hereinabove and considering the period of custody, 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gaya in connection with Excise Case No.242 of 2021, subject to the following conditions :

(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.



(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) 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)

V.K.Pandey/-

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