

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 66285 of 2021**

Arising Out of PS. Case No.-160 Year-2021 Thana- PURNAHYA District- Sheohar

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RAHUL KUMAR SON OF BIKAU THAKUR RESIDENT OF VILLAGE-
SEKH BASAHIYA TOLA GARHWA, PS -PIPRAHI, DIST- SHEOHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr Shraddhanand Paswan, Advocate

For the Opposite Party/s : Ms Rita Verma, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 01-06-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, *APP*) appearing for
the State of Bihar.

The petitioner seeks bail in Purnahiya Police Station
(for brevity, *PS*) Case No 160 of 2021 registered for the offence
punishable under Section 30 (a) of Bihar Prohibition and Excise
Act, 2016.

67.5 liters Nepali wine has been recovered from the
petitioner while he was moving on a motorcycle, as per
allegation.

Learned counsel submits that the petitioner was a
passerby and has been wrongly framed in this case, based on
recovery from another person. He is in jail since 27.09.2021



and has no criminal antecedent. It is further submitted that investigation is also complete.

The learned APP has opposed the prayer for bail.

Considering the rival submissions, this Court, for the purposes of grant of bail, is, thus, inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge (Excise), Sheohar in Purnahiya PS Case No 160 of 2021 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today



for depositing requisite Court fee and removing the defect (s), as
pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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