

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60333 of 2022

Arising Out of PS. Case No.-459 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Golu Kumar S/O Rukwa Nand Rai, Resident of village- Nawawganj, p.s.-
Malsalami, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shekhar Kumar Singh, Advocate
For the Opposite Party/s: Mr.Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

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 connec-
tion with Excise(Patna) Prohibition Case No. 459 of 2022 regis-
tered for the alleged offences under Sections 30(a) and 56(b) of
the Bihar Prohibition and Excise Act.

As per prosecution case, the petitioner and co-accused
were apprehended while they were carrying 100 litres of coun-
try made *chulai* liquor on a bicycle.

Learned counsel for the petitioner submits that the pe-
titioner is innocent and has been falsely implicated in this case.



Nothing incriminating has been recovered from the conscious possession of the petitioner and he has nothing to do with the seized liquor. The petitioner is in custody since 28.06.2022 and prosecution report has been submitted. The petitioner has got no criminal history.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner and further considering the period of custody of the petitioner along with the submission of prosecution report, the petitioner above named 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 Special Judge Excise, Patna in connection with Excise(Patna) Prohibition P.S. Case No. 459 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 can-
celled by the court concerned.

(Arun Kumar Jha, J)

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