

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3909 of 2023

Arising Out of PS. Case No.-457 Year-2022 Thana- GOPALPUR District- Bhagalpur

KISHORE KUMAR @ KISHOR KUMAR SON OF LATE GUJAY
PRASAD SINGH R/O VILLAGE- MURLI, P.S.- GOPALPUR (RANGRA
O.P.), DISTRICT- BHAGALPUR.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya

For the Opposite Party/s : Asha Kumari

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 07-04-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Gapalpur (Rangra O.P.) P.S. Case No. 457 of 2022,
registered for offence punishable under Section 30 (a) of the
Bihar Prohibition and Excise Act, 2018.

As per allegation, 15 litres of country-made liquor
was recovered from the *Gumti* of the petitioner.

The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. He is under custody since 08.09.2022.

Considering the above-mentioned facts and
circumstances, let the petitioner above-named be released on



bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Bhagalpur or Successor Court in connection with Gapalpur (Rangra O.P.) P.S. Case No. 457 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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