

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5087 of 2023

Arising Out of PS. Case No.-477 Year-2022 Thana- RAJAOLI District- Nawada

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KUNDAN KUMAR Son of Suresh Yadav Resident of Village - Gonawa Moti
Bigha, P.S. - Nagar, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Humayou Ahmad Khan

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

ORAL ORDER

2 28-04-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Rajauli P.S. Case No. 477 of 2022, registered
for the offences punishable under Sections 30(a) of Bihar
Prohibition and Excise Act, 2016.

The learned counsel for the petitioner has submitted
that the petitioner is a person of clean antecedent and he is under
custody since 08.09.2022 for the allegation that from a vehicle
400 liters of liquor was recovered and this petitioner tried to flee
away from that vehicle. He has also submitted that he is neither
owner nor the driver of the vehicle. He has falsely been
implicated.



Considering the clean antecedents and period of incarceration, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-2, Nawada in connection with Rajauli P.S. Case No. 477 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) If the petitioner is found involved in future in the similar type of offense, 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)

SONALI/Sudha

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