

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5959 of 2023

Arising Out of PS. Case No.-1491 Year-2022 Thana- KAHALGAON District- Bhagalpur

SUBODH KUMAR SON OF ADHIKLAL MANDAL R/O VILLAGE-
PAKAR TALLA, P.S.- KAHALGAON, 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 : Mr.Sangeeta Sharma

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

ORAL ORDER

2 01-05-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

This is an application for regular bail on behalf of
the petitioner for the offences alleged under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018
registered in connection with Kahalgaon (Rasalpur) P.S.Case
No. 1491 of 2022.

The learned counsel for the petitioner has submitted
that the petitioner is in custody since 30.12.2022 for the
allegation that 65 litres of liquor was recovered from his e-
rickshaw. He has submitted further that he was merely a driver
of that e-rickshaw and was not aware of the consignment carried
by the passengers.



Considering the above facts and circumstances, clean antecedent and period of custody, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Exclusive Excise Court No.2, Bhagalpur in connection with Kahalgaon (Rasalpur) P.S.Case No. 1491 of 2022, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make available available as and when required by the court.
2. If the petitioner is found involved in future in the similar type of offence, 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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