

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22284 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- DUMRA District- Sitamarhi

RAKESH KUMAR SON OF RUPLAL RAUT RESIDENT OF VILLAGE-
MOHCHATTI @ MUHCHATTI @ LAGMA, PS- DUMRA, DISTT-
SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Shyam Bihari Singh

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

ORAL ORDER

2 05-05-2023 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 Sections 413, 414,
420, 467, 468, 471, 120(B) of the Indian Penal Code and
Sections 30(a), 32(ii) (iii), 36 and 41(i) of the Bihar Prohibition
and Excise (Amendment) Act, 2018, registered in connection
with Dumra P.S.Case No. 44 of 2023.

The petitioner was arrested at the spot wherefrom
illicit liquor was being unloaded from a truck for being loaded
to other smaller vehicles. The police raided that place and
recovered 2674.80 litres of liquor therefrom.

The learned counsel for the petitioner has submitted
that the petitioner is a person of clean antecedent. He is neither
the owner nor the driver of the vehicle wherefrom illicit liquor
was being unloaded for being loaded to other smaller vehicles.



He is in custody since 25.01.2023.

Considering the above facts and circumstances, 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 Exclusive Special Excise Court No.1, Sitamarhi in connection with Dumra P.S.Case No. 44 of 2023, subject to the following conditions:-

- 1. The learned court below shall verify the criminal antecedent of the petitioner after accepting the bail bond.**
2. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
3. 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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