

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28021 of 2023

Arising Out of PS. Case No.-498 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

Rahul Kumar Son Of Murat Singh R/O-Rahtoli (BHASAUN), P.S.-
AAYANA, Distt.-AURAIYA, State-Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor appearing on behalf of

the State.

Let the defect(s), if any, be removed within a
period of four weeks from today.

The petitioner seeks regular bail in connection
with Excise Case No. 3030 of 2022 arising out of Mohania
P.S. Case No. 498 of 2022 registered for the offence
punishable under Sections 30(a), 41(1) of the Bihar
Prohibition and Excise (Amendment) Act, 2018 and
Sections 420, 467, 468, 471/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
there is recovery of 2610.36 litres of illicit liquor from the



truck in question and also the petitioner is in custody since 12.09.2022. The petitioner has no criminal antecedent.

Learned APP has vehemently opposed the prayer for bail.

The petitioner has offered to pay Rs. 40,000/- (Rupees forty thousand) in the High Court Legal Services Committee, Patna without accepting his guilt.

Considering the nature of allegation levelled against the petitioner, his period of custody and his clean antecedent, this application is allowed.

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 the learned Special Judge Excise No. I-cum- A.D.J.-IV, Kaimur at Bhabhua in connection with Excise Case No. 3030 of 2022 arising out of Mohania P.S. Case No. 498 of 2022.

The petitioner shall deposit an amount of Rs. 40,000/- (Rupees forty thousand) as has been offered by him, in the High Court Legal Services Committee, Patna and will produce the receipt of the same at the time of



furnishing the bail bonds in the court below. The bail bonds of the petitioner shall be accepted only after he produces the receipt of Rs. 40,000/- (Rupees forty thousand) issued by the High Court Legal Services Committee, Patna and after verification of the genuineness of the said receipt from concerned High Court Legal Services Committee, Patna.

Since the petitioner is from Uttar Pradesh, the court below is directed to verify the recent address of the petitioner before releasing him and one of the bailors should be blood relative of the petitioner and he shall be released after framing of charge.

The verification process shall be initiated by court below just after the communication of the copy of this order to the court below.

(Sandeep Kumar, J)

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