

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64513 of 2023

Arising Out of PS. Case No.-314 Year-2023 Thana- BAHADURPUR District- Patna

Rajat Kumar @ Bougi Kumar, Son Of Dharmendra Sahani, Resident Of
Mohalla Nooranibagh, PS Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate
For the State : Mr. Sanjay Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bahadurpur P.S. Case No. 314 of 2023, lodged on 31.08.2023
under Section 414 of the Indian Penal Code & 30(a), 32(1)(2)
and 36 of the Bihar Prohibition and Excise (Amendment) Act,
2022.

3. As per the prosecution case, total recovery of 130
litres of country made liquor is the subject matter of the present
case.

4. Learned counsel for the petitioner submits that the
alleged recovery has not been made from the possession of
anyone rather the said recovery was made from a public place
near a *Water Tank*. Learned counsel for the petitioner further



submits that in total four persons were apprehended. He further submits that the petitioner is in custody since 01.09.2023 and there is one criminal case pending against him in which he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Patna City, in connection with Bahadurpur P.S. Case No. 314 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

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