

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62473 of 2022

Arising Out of PS. Case No.-239 Year-2022 Thana- GUTHANI District- Siwan

RAHUL KUMAR, S/o Late Ram Vachan Rai @ Ram Vachan Prasad, R/o Village and P.S.- Bhandari, Distt- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Bhan Singh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-01-2023 Today being Friday, matters are being taken up through virtual mode, as per current procedure for hearing.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Guthani P.S. Case No. 239 of 2022 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

184.530 liters illicit liquor has been recovered from the vehicle. Petitioner is stated to be the driver.

Learned counsel for the petitioner submits that the petitioner has been implicated in this case falsely. The recovery is from the vehicle. The petitioner was hired as a driver to take the car to a particular destination. He was not knowing about the liquor being loaded in the vehicle. He has become victim of the



circumstance and he is in custody since 12.09.2022, having no antecedents.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, manner of recovery, nature of allegation and the fact that investigation is complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel.

Prayer for bail of the petitioner 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 Court of Exclusive Special Excise Court No. 1, Siwan, in connection with Guthani P.S. Case No. 239 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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