

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63153 of 2022

Arising Out of PS. Case No.-414 Year-2022 Thana- BYPASS District- Patna

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Akhilesh Kumar Ray Son Of Pukar Ray R/O Village- Didarganj Check Post,
Near Dharmshala, P.S.- Didarganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Ajay Kumar Jha

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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 learned APP for the State.

Petitioner seeks bail in connection with Bye Pass P.S. Case No. 414 of 2022 registered under Section 30(a) and 36 of Bihar Prohibition and Excise Act.

There is alleged recovery of 768.960 litres IMFL from a truck.

Learned counsel for the petitioner submits that petitioner is not the owner of the truck. He has been falsely implicated, though he has no concern with the truck or liquor. Having no antecedent, he is in custody since 01.10.2022.

Learned APP 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 is inclined to allow the petitioner's prayer for bail. Prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna City in Bye Pass P.S. Case No. 414 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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