

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 61867 of 2022**

Arising Out of PS. Case No.-241 Year-2022 Thana- DIDARGANJ District- Patna

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KUNAL KUMAR S/O LAKHAN RAY R/- Rampur Bhatha Par, Ward No-1,
P.S.- Fatehpur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, **APP**) appearing for
the State of Bihar through Virtual Mode.

The petitioner seeks bail in Didarganj Police Station
(for brevity, **PS**) Case No 241 of 2022 registered for the offence
punishable under Sections 30 (a)/36 of Bihar Prohibition and
Excise Amendment Act, 2018.

50 liters of illicit country made liquor has been
recovered from the petitioner while he was moving on a
motorcycle.

Learned counsel submits that it is a case of false
implication. Actually, there is no recovery from the petitioner.
He has no antecedents and he is in custody now since



15.09.2022.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Patna City in Didarganj PS Case No 241 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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