

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66584 of 2022

Arising Out of PS. Case No.-606 Year-2022 Thana- DIGHA District- Patna

RAHUL KUMAR, Son of Bhanu Ray, Resident of village - Nakta Diyara at
present resident of village - Ramjichak Digha Naharpar, P.S.- Digha, District -
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Adv

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 03-02-2023 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 Digha P.S. Case No.
606 of 2022 registered under Section 30(a) of Bihar Prohibition and
Excise Act.

On account of alleged recovery of 80 litres country-made
liquor, petitioner is in custody since 14.09.2022.

Learned counsel for the petitioner submits that the petitioner is
neither driver nor owner of the vehicle. He has falsely been
implicated in this case because of his antecedent arising out of Digha
P.S. Case No. 474 of 2021. Recovery is denied and disputed by
learned counsel for the petitioner. It is submitted that recovery is not



in accordance with law. Investigation is complete.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, manner of recovery, period of custody 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 in Digha P.S. Case No. 606 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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