

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 65946 of 2022

Arising Out of PS. Case No.-445 Year-2022 Thana- KATEYA District- Gopalganj

BABLU KUMAR S/o Hardev Chauhan R/o Shankar Colony, Ward no. 5,
P.S.- Rajiv Nagar, Distt- Patna (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ravi Bhushan, Advocate

For the Opposite Party/s : Ms Pushpa Sinha, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 03-02-2023

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 Kateya Police Station (for brevity, **PS**) Case No 445 of 2022 registered for the offence punishable under Section 30 (a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

There is alleged recovery of 182.340 liters of illicit liquor on the three wheeler rickshaw of the petitioner.

Learned counsel submits that the rickshaw does not belong to the petitioner. Petitioner has no antecedent and it is a case of false implication. The recovery is denied and disputed.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions, manner of recovery, nature of allegation, period of custody since 03.10.2022, clean antecedent 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 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 Additional Sessions Judge II -cum- Special Judge Excise I, Gopalganj in Kateya PS Case No 445 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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