

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67229 of 2022

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

Rajeev Kumar, Son of Umesh Prasad, Resident of Village- Pipar Panti, P.S.-
Kadirganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No.2, Advocate

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Bypass
P.S. Case No.414 of 2022 registered for the offence punishable
under Sections 30(a)/36 of the Bihar Prohibition and Excise
(Amendment) Act, 2022.

From a truck, there is alleged recovery of nearly 769
litres illicit liquor concealed in a separate compartment.
Petitioner, as per FIR, is cleaner of the vehicle.

It is submitted that the petitioner has been falsely
implicated in this case. In fact, he has no concern with the
alleged recovery. Even as per prosecution case, he was in a
separate compartment, about which the petitioner had no
knowledge. He is in custody since 01.10.2022. The petitioner is
also having an antecedents in Kadirganj P.S. Case No.94 of
2020 in which he is on bail. Investigation is also complete.

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



Having regard to the manner of recovery, submissions advanced by the parties, period of custody, as also 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.

Accordingly, 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 Exclusive Special Judge, Excise, Patna City, Patna, in connection with Bypass 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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