

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24316 of 2016

Arising Out of PS.Case No. -74 Year- 2016 Thana -MINAPUR District- MUZAFFARPUR

Abhijit Kumar Son of late Parmeshwar Patel Of mohalla- Sadpura
Pokhariyapir, PS. Kazi Mahmadvpur, District Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Swarup Prasad

For the Opposite Party/s : Mr. Bharat Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 01-06-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection with Meenapur P.S. Case No. 74 of 2016 registered for offences under sections 47, 49, 50, 53-C of the Bihar Excise Amendment Act, 2016.

The police recovered toddy from the possession of the petitioner. It has been submitted that unless the same is fermented properly, it cannot be turned to liquor. Mere possession of toddy will not be an offence. The petitioner has got no criminal antecedent.

Looking to the nature of allegation, let the petitioner, namely, Abhijit Kumar, 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 learned Chief Judicial Magistrate, Muzaffarpur in connection with Meenapur P.S. Case No. 74 of 2016, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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