

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23936 of 2019

Arising Out of PS. Case No.-66 Year-2019 Thana- PARSABAZAR District- Patna

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PINTU KUMAR, aged about 32 years, Male, Son of Birju Yadav Resident of
Village-Bodhachak, P.S-Parsa Bazar, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binit Kumar, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-04-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner seeks bail in connection with Parsa Bazar
P.S.Case No.66 of 2019 for the offence alleged under Section
30(a) of the Bihar Prohibition Excise Act, 2016.

The prosecution case as lodged by the police
personnel is that on secret information that illicit liquor is
concealed in a hut near the railway track, the police conducted a
raid and seized 18 liters of Mahua wine from the said hut. The
local people stated that the said illicit liquor belonged to the
petitioner. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, was not apprehended from the place of occurrence and his name was dropped by the local people and because the petitioner is involved in two more cases of similar nature. He submits that the petitioner has been made accused only on suspicion and is languishing in judicial custody since 11.03.2019.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and two more cases of similar nature are pending against him.

Considering the nature of allegations and materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Parsa Bazar P.S.Case No.66 of 2019 to the satisfaction of learned Special Judge Excise, Patna, subject to the following conditions:-

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the



learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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