

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52620 of 2019

Arising Out of PS. Case No.-7 Year-2019 Thana- BARBIGHA District- Sheikhpura

Piyush Kumar, Son of Sanjeev Singh, Resident of Village- Maur, Police station- Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seek bail in Barbigha P. S. Case No. 7 of 2019 instituted for the offence under Section(s) 272 and 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that 8 to 10 persons were unloading cartoons of illicit liquor from truck, Bolero, motorcycle etc. It is further alleged that those persons including the petitioner were apprehended and other accused persons managed to run away.

Learned counsel for petitioner has submitted that there is no recovery of any illicit liquor from conscious possession of petitioner. The other co-accused of this case have already been granted regular bail by this Court by order passed in Cr. Misc. no. 28557 of 2019 and 26543 of 2019 respectively.

Petitioner is in custody since 24.07.2019.



Learned APP for the State opposed the prayer for bail.

Having considered the rival submissions of the parties, prayer for bail is allowed. 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 learned 2nd Additional District and Sessions Judge, Sheikhpura, in connection with Barbigha P. S. Case No. 7 of 2019 (Excise Case No.09 of 2019), 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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