

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71154 of 2019

Arising Out of PS. Case No.-282 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Katihar

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Md. Khalid aged about 55 years (Gender-M), Son of Late Suleman, resident
of village- Manihari, Ward No.14, P.S.-Manihari, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 19-12-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with C-I
Case No.282 of 2019 dated 18.08.2019 instituted under Section
30(a) read with Section 13 of the Bihar Prohibition and Excise
(Amendment) Act, 2016.

3. The allegation against the petitioner is of
possessing 40 litres toddy.

4. Learned counsel for the petitioner submitted that
the petitioner was present at the spot where the toddy was
recovered, but the same did not belong to him. It was further
submitted that he has no criminal antecedent and is in custody
since 19.08.2019.

5. Learned APP submitted that the petitioner was



caught with 40 litres of toddy.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the ADJ II cum Special Judge, Excise Act, Katihar, in C-I Case No.282 of 2019, subject to the conditions (i) that one of the bailors shall be close relative of the petitioner (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off.

(Ahsanuddin Amanullah, J)

J. Alam/-

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