

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 382 of 2020**

Arising Out of PS. Case No.-134 Year-2019 Thana- MUSAHARI District- Muzaffarpur

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KANHAI THAKUR @ KANHAI KUMAR S/o Prem Thakur @ Prem Kishor
Thakur Resident of Village- Hari Shankar Maniyari, P.S.- Maniyari, District-
Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand
For the Opposite Party/s : Ms.Veena Kumari Jaiswal

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Mushahari Police Station (for
brevity, *PS*) Case No 134 of 2019 dated 17.05.2019 instituted
for the offence punishable under Section (s) 272, 273 of Indian
Penal Code and Sections 30 (a), 36, 38 of Bihar Excise and
Prohibition Act, 2016.

Two persons are alleged to have fled away when a
motorcycle was intercepted. One has been apprehended. The
petitioner, as per allegation, has succeeded to flee away.
Recovery of 16.87 liters of Indian made foreign liquor is from
the seat of the motorcycle. Even as per prosecution, petitioner
was not arrested at the place of occurrence nor is there any



recovery from the petitioner. Petitioner is on bail in the earlier two cases pending against him, details of which have been given in paragraph 3 of the petition. Petitioner is in custody in connection with this case since 18.11.2019.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Muzaffarpur in Mushahari PS Case No 134 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)

M.E.H./-

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