

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 951 of 2020

Arising Out of PS Case No.-80 Year-2019 Thana- KALYANPUR District- East Champaran

Katari Singh, aged about 60 years, Male Son of Binda Singh @ Binda Sinh,
Resident of Village - Siswa Narsingh, P.S. - Kalyanpur, District - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 19-03-2020

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

2. The petitioner seeks bail in connection with
Kalyanpur PS Case No. 80 of 2019 dated 27.04.2019 instituted
under Sections 272 and 273/34 of the Indian Penal Code and 30(a)
and 41(1) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner is that the raw
spirit seized by the police was for making illicit liquor and the
petitioner is also said to be one of the persons who used to sell that
liquor.

4. Learned counsel for the petitioner submitted that he is
neither the owner of the truck nor was the person caught at the



spot or who had run away from the spot and further that he is not the person for whom the spirit was brought, as was disclosed by the persons who were arrested. It was submitted that the persons caught had taken the name of others for whom the spirit was brought and they used to manufacture illicit liquor and the only allegation against the petitioner and others is that they were also selling that illicit liquor. Learned counsel submitted that the petitioner has no other criminal antecedent and is in custody since 28.11.2019.

5. Learned APP, from the case diary, did not controvert the submissions of learned counsel for the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, IXth-cum-Special Judge, Excise, East Champaran at Motihari in Kalyanpur PS Case No. 80 of 2019.

7. One of the bailors shall be a close relative of the petitioner. 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 appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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