

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18195 of 2020

Arising Out of PS. Case No.-79 Year-2019 Thana- AUANGARI District- Nalanda

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Sintu Kumar @ Bishaila S/o Late Jagdish Mahto Resident of Village and P.S.-
Aungari, Distt- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Vishwanath Prasad, Adv.
For the Opposite Party : Ms. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 09-06-2020 The matter has been listed today for consideration
through Video Conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner seeks bail in Aungari P.S. case No.79 of
2019 instituted for the offence under Section 30A of the Bihar
Prohibition and Excise Act, 2016.

Acting on a confidential report that huge quantity of illicit
liquor has been stored in the house of Anil Mahto, the Officer-
in-Charge along with Patrolling Party reached the place. Two



persons are said to be fleeing away. Petitioner has been identified by the villagers as one of the persons being fleeing away. The recovery, as per petitioner's counsel, whatsoever, is from house of co-accused Anil Mahto. Petitioner was not arrested at the spot nor there is any recovery from him. He submits that it is a case of false implication. Petitioner has no criminal antecedents and recovery is not in accordance with the mandatory procedure prescribed under the Cr. P.C.

The learned counsel for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 the **Addl. Sessions Judge 3rd cum Special Judge (Excise) Nalanda, at Biharsharif** in connection with **Aungari P.S. case No.79 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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