

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25545 of 2020

Arising Out of PS. Case No.-150 Year-2020 Thana- WARISNAGAR District- Samastipur

NANDLAL KUMAR Son of Vishwanath Sahni Resident of Ward No. 7,
Akbarpur, Warisnagar, Mathurapur O.P., District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Sakir Ahmad

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 29-09-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

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

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Warisnagar (Mathurapur O.P.)



P.S. Case no. 150 of 2020 instituted for the offence under Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

40.720 liters of liquor is alleged to have been recovered from the petitioner's house and the petitioner is in custody since 25.06.2020. It is submitted that having no criminal antecedents, the petitioner has been falsely implicated in the instant case. There is no compliance with Section 100 Cr. P.C. and recovery is from a hut near the "*Angan*" having general public access.

The learned APP has opposed the prayer for bail.

Considering the aforesaid, 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 Additional Sessions Judge- II-cum- Special Judge Excise Act, Samastipur in connection with Warisnagar (Mathurapur OP) P. S. Case No. 150 of 2020, 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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