

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24637 of 2020

Arising Out of PS. Case No.-552 Year-2019 Thana- BRAHMPUR District- Buxar

Raju Prasad, S/o Ganga Prasad, Resident of Village-Noniyapur, P.S.-
Krishnabrahm, District-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
\		Mr. Ansul, Advocate
For the Opposite Party/s :		Mr. Md. Humayun Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-09-2020 Since as of now the Courts have not resumed normal physical hearing, 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 Mr. Yogesh Chandra Verma, learned Senior Counsel appearing for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Brahmpur (Krishnabrahm) P.S. Case No.552 of 2019 registered for the offence punishable under Section 30(a) of the Bihar Prohibition



and Excise Act, 2018.

As per the prosecution case, during checking of vehicles, two motorcycles were stopped. Three persons fled away. One Ravi Rai was apprehended. It is alleged that he disclosed the name of the fleeing away persons, including the petitioner. 63.540 litres illicit liquor is alleged to have been seized from bags on two motorcycles.

Learned Senior Counsel appearing for the petitioner submits that the petitioner is in custody since 01.06.2020. Other than the statement of co-accused, there is nothing to implicate the petitioner or connect him with the recovery. Even as per the prosecution case, he was not present at the place from where recovery has been made. He has no criminal antecedents.

Learned APP 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 learned Additional District & Sessions Judge-II-cum-Special Judge (Excise), Buxar, in connection with



Brahmpur (Krishnabrahm) P.S. Case No.552 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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