

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29041 of 2020

Arising Out of PS. Case No.-73 Year-2020 Thana- KHAJEKALA District- Patna

Rohit Kumar, Son of Jawahar Paswan, Resident of Adarsh Colony Ghat,
Sirdhi Ghat, Bijali Office, Gali, P.S.- Khajekalan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-11-2020 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.

Mr. Syed Ehteshamuddin, learned APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General.

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

The petitioner seeks bail in connection with



Khajekalan P.S. Case No.73 of 2020 arising out of Spl. Case No.1680 of 2020 registered for the offence punishable under Section 414 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Total 120 litres illicit liquor is said to have been recovered from a scooty near Mitani Ghat pontoon bridge.

It is submitted by the petitioner's counsel that some local persons have stated about the petitioner's fleeing away from the place of recovery. On such basis, he has been remanded in this case from Khajekalan P.S. Case No.796 of 2020, in which he is on bail. He is in custody in connection with the instant case since 15.04.2020.

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 the learned Special Judge, Excise, Patna, in connection with Khajekalan P.S. Case No.73 of 2020 arising out of Spl. Case No.1680 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.

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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