

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85430 of 2019

Arising Out of PS. Case No.-244 Year-2019 Thana- WARISNAGAR District- Samastipur

SHIVNATH @ SHIBU @ SHIVOO @ SHIVNATH KUMAR Son of Ram
Vinay Rai @ Ram Vinay Ray Resident of Ward No. 07, P.S.- Warisnagar,
Distt - 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.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 07-01-2020 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under section
30(a) of Bihar Prohibition Excise Act, 2016.

As per prosecution case, recovery of 94.05 liter foreign
liquor from a bamboo clump near road side.

Petitioner has been implicated in this case by other
accused who have been apprehended near place of recovery.
Petitioner's implication has not led to recovery of any
incriminating material from the petitioner. Petitioner is in
custody since 02.12.2019.

It is also submitted that petitioner is already on bail in
Warisnagar P.S. Case no. 139/2018. Other co-accused who were



apprehended have been allowed bail in Cr. Misc. no. 66648/2019. Another co-accused who had been implicated in similar manner as the petitioner upon disclosure by apprehended persons has been allowed anticipatory bail in Cr. Misc. no. 68120/2019.

Considering the aforesaid submissions, prayer for bail is allowed.

Let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge II-cum-Special Judge, Excise, Samastipur in Warisnagar (Mathurapur O.P) P.S. Case no. 244/2019 subject to the following conditions.

(1) 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.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

s.hassan/-

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(Madhuresh Prasad, J)

