

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 85817 of 2019**

Arising Out of PS. Case No.-797 Year-2019 Thana- BANKA District- Banka

SINTU KUMAR Son of Lallan Prasad Yadav Resident of Village - Station Chowk, P.S.- Sadar Madhepura, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **16-01-2020** Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in Banka (Barahat) Police Station (for brevity, *PS*) Case No 797 of 2019 dated 08.11.2019 instituted for the offence punishable under Section (s) 30 (a), 32 (2) of Bihar Excise and Prohibition Act.

The petitioner, prior to the instant case, has not been implicated in any other case, as per submission of the learned counsel for the petitioner. The alleged recovery is 280 liters of country made liquor. Petitioner is said to be driving the vehicle from which the liquor is recovered. Allegation is also that he was carrying a country made pistol. Submission is of false implication and that the recovery is not in accordance with law.



Petitioner has no connection with the alleged recovery.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge (Excise), Banka in connection with Banka (Barahat) PS Case No 797 of 2019 dated 08.11.2019 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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