

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13227 of 2021

Arising Out of PS. Case No.-245 Year-2020 Thana- KATORIYA District- Banka

SUJIT KUMAR S/o Mahendra Prasad Resident of MOCP officer Colony,
Quarter No. NPC- 20, P.S.- Tishra, District- Dhanbad, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-07-2021 In view of sudden resurgence of COVID-19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

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

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

Petitioner seeks bail in Special Excise Case No.686 of 2020 arising out of Katoriya P.S. Case No.245 of 2020 registered under Section 30(a) and 56(D) of the Bihar Prohibition and Excise Act.

192.750 ml. of illicit liquor has been allegedly been



recovered from the vehicle which the petitioner was driving.

Learned counsel for the petitioner submits that this is a case of false implication. Being a professional driver he had no knowledge about the illicit liquor in the vehicle. The recovery is also not in accordance with law and the petitioner is in custody since 28.11.2020 and on bail in Tisra P.S. Case No.30/2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, IInd, Banka in Special Excise Case No.686 of 2020 arising out of Katoriya P.S. Case No.245 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)

Prakash Narayan /-

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