

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13126 of 2021

Arising Out of PS. Case No.-266 Year-2019 Thana- KATRA District- Muzaffarpur

Chandan Kumar Singh aged about 28 years, (Male) son of Vimlesh Singh @Bimlesh Singh, Resident of village- Khanguradih, Police Station- Katra, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Mr. Masoom Alam Advocate

For the State : Mr. Pawan Kumar Chaurasiya APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 24-07-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

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

The petitioner seeks bail in Katra PS Case No. 266 of 2019, instituted for the offence under Sections 272 and 273 of the Indian Penal Code and Section 30(a) and 38(1) of the Bihar Prohibition and Excise Act, 2016.

Total 172.800 litres of illicit liquor has alleged been recovered from village Khanguradih Parti Tola (Sitawar). Petitioner's implication is based on the identification by the village *Chowkidar*.



The learned counsel for the petitioner submits that due to criminal antecedents of the petitioner he has falsely been implicated in the instant case. He was not present at the time of recovery nor there is any recovery of illicit liquor from his possession. He is in custody since 23.10.2020

The learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions, 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 Act, Muzaffarpur**, in connection with **Katra PS Case No. 266 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.

(Madhuresh Prasad, J)

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