

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13150 of 2021**

Arising Out of PS. Case No.-14 Year-2020 Thana- PIRI BAZAR District- Lakhisarai

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Tinku Kora @ Tinku Koda, Son of Natwar Kora Resident of Village -
Bariyasan P.S. - Piribazar, District - Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 20-07-2021 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 Piribazar P.S. Case No.14 of

2020 registered under Section 30(a), Bihar Prohibition Excise

Act, 2016.



30 litres liquor has allegedly been recovered from the petitioner's field.

The counsel for the petitioner submits that having no criminal antecedent, he has falsely been implicated in this case. The recovery is from an open field, accessible to all for which he cannot be held liable and he is in custody since 06.12.2020.

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 Second Additional District & Sessions Judge-cum-Special Judge Excise, Lakhisarai in Piribazar P.S. Case No.14 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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