

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14870 of 2021

Arising Out of PS. Case No.-411 Year-2020 Thana- RUPASPUR District- Patna

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Anshu Kumar @ Anshu Mahto, aged about 21 years, Gender- Male son of
Sudan Mahto, Resident of - Jalalpur, P.S. Rupaspur, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

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Appearance :

For the Petitioner : Mr. Ashish, with Mr. Girish Chandra Jha,
Advocates

For the State : Ms. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 27-08-2021 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 Rupaspur P.S. Case No. 411

of 2020, instituted for the offence under Section 30(a) of the

Bihar Prohibition and Excise Act, 2016.



Total 1153 litres illicit foreign liquor has been recovered from a pick-up van. The petitioner was travelling in the same.

The learned counsel for the petitioner submit that he had taken a lift in the vehicle and has become a victim of the circumstance. He is on bail in Rupaspur P.S. Case No. 554 of 2019 and in the instant case he is in custody since 19.12.2020. Recovery is not in accordance with law.

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

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner counsel. Prayer for bail of the petitioner is allowed. 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, Patna**, in connection with **Rupaspur P.S. Case No. 411 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)

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