

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16413 of 2021

Arising Out of PS. Case No.-167 Year-2020 Thana- SONBERSA District- Sitamarhi

SHRAWAN KUMAR @ SHRAWAN KUMAR MAHI Son of Ganesh Sah
Resident of Village- Madhuban Bazar, Ward No. -6, P.S.- Bajpatti, District-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Murari, Adv
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-09-2021 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 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 connection with Sonbarsa

P.S. Case No. 167 of 2020 registered under Sections 272, 273,

414, 504, 506, 353 and 34 of the Indian Penal Code and Section



30(a) of the Bihar Prohibition and Excise Act 2016.

There is alleged recovery of 214.200 litres of illicit sophie wine from *Scorpio*, the petitioner was allegedly working as a liner.

It is submitted by petitioner's counsel that it is a case based on suspicion, petitioner has no criminal antecedent. There is no recovery from his possession and he is in custody since 1.9.2020.

Learned APP 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's counsel. 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 A.D.J., II cum Special Judge, Excise Act, Sitamarhi in Sonbarsa P.S. Case No. 167 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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