

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16623 of 2021

Arising Out of PS. Case No.-190 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

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Krishna Kumar Singh, Male, aged about 21 years, Son of Ashok Kumar Singh Resident of Village- Kasma Marar, Bhakua, P.S.- Khajauli, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-10-2021 The matter has been listed today for consideration through Video Conferencing.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for short 'APP') for the State.

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.

The petitioner seeks bail in GO PS Case No. 190 of 2019, instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

It is alleged that the petitioner was storing wine for illicit trade. Co-accused Pappu Kumar Singh was carrying 207 litres



of Nepali wine in a bag which he abandoned while fleeing away on seeing the police party, he has been arrested.

It is submitted that petitioner's implication is based on his criminal antecedents in Jainagar PS Case No. 306 of 2020. He has no concern with the seized wine or the co-accused and nothing was seized from the petitioner's possession and he is in custody since 05.12.2020.

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's 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 Additional Sessions Judge-II-cum- Special Judge (Excise Act), Madhubani, in connection with GO No. 190 of 2019, Madhubani, 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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