

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16370 of 2021

Arising Out of PS. Case No.-230 Year-2020 Thana- CHANDAN District- Banka

Prasanjeet Kumar Bauri, Son of Budhan Bawri, Resident of Village - Karon,
P.S.- Karon, District - Deoghar (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-09-2021 The matter has been taken up today for
consideration through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

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

The petitioner seeks bail in connection with
Chandan P.S. Case No.230 of 2020 (Special Excise 726/2020)
registered for the offence punishable under Sections 30(a)(g),
32(2) of the Bihar Prohibition and Excise Act, 2018.

Since 09.12.2020, the petitioner is stated to be in
custody for alleged recovery of 193.400 litres illicit liquor from



the vehicle being driven by him.

It is submitted by the petitioner's counsel that the petitioner has no concern with the alleged recovered liquor. The prosecution case is false. The recovery is not in accordance with law. The petitioner has no criminal antecedents.

Learned APP for 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, Banka, in connection with Chandan P.S. Case No.230 of 2020 (Special Excise 726/2020), 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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