

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16499 of 2021

Arising Out of PS. Case No.-255 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

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Shambhu Kumar, S/O Ramanand Thakur, Resident of Mohalla - J.P. Colony,
P.S. - Town, Dist. - Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-10-2021 Heard learned Counsel for the petitioner and the

learned APP for the State.

The petitioner seeks bail in connection with G.O.

Case No.255 of 2020 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

From the petitioner's house, there is an alleged
recovery of 117 litres illicit liquor.

Counsel for the petitioner submits that the petitioner
has no criminal antecedents. He is in custody since 18.12.2020.
Recovery is from the joint family property and not from the
petitioner's conscious possession. The same is also not in
accordance with law.



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 learned 2nd Additional Sessions Judge cum Special Judge, Excise Act, Madhubani, in connection with G.O. Case No.255 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.

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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