

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18190 of 2021**

Arising Out of PS. Case No.-425 Year-2020 Thana- NARPATGANJ District- Araria

Md Nadeem, aged-31 years, S/o Md Anwar Resident of Masuri, P.S.- Masuri,
District- Ghaziabad, Uttarpradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Majid Mahboob Khan, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 25-10-2021 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 Special Case No. 765 of 2020, arising out of Narpatganj PS Case No. 425 of 2020 instituted for the offence under Sections 30(a) and 36 of the Bihar Prohibition and Excise Act, 2016.

6600 litres spirit has been recovered from the truck. The petitioner is stated to be the cleaner of the truck. Driver and another person who were on the truck has been allowed bail in Cr. Misc. Nos. 21383 of 2021 and 8805 of 2021. It is



specifically stated that the petitioner has no criminal antecedents. Claiming parity with other accused prayer is made for grant of bail. The petitioner is stated to be in custody since 15.09.2020.

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 District and Sessions Judge- II-cum-Special Judge, Araria, in connection with Special Case No. 765 of 2020, Narpatganj P.S. Case No. 425 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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