

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18131 of 2021**

Arising Out of PS. Case No.-106 Year-2020 Thana- SIWAIPATTI District- Muzaffarpur

Md. Jalil @ Jilla, S/O Late Akbar Miya, R/O Village-Sodhna Madhopur, P.S-
Sibaipatti, District-Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

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

2 25-10-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Sibaipatti
P.S. Case No.106 of 2020 registered for the offence punishable
under Sections 272, 273, 420/34 of the Indian Penal Code and
Sections 30, 30(a), 36, 38, 41, 41(1) of the Bihar Prohibition and
Excise Act, 2016.

120 litres of spirit and very small quantities of Indian
Made Foreign Liquor and country made liquor have been
recovered from a shed in front of the petitioner's house.

Counsel for the petitioner, referring to the seizure list,
submits that it is apparent from the same that the shed was of
co-accused Ram Lochan Prasad. Since the petitioner's house is
opposite to the co-accused's house, he has been implicated. He



is accused in two more cases as per the disclosure made in paragraph 3 of the bail application. In both the cases he is stated to be on bail. He is in custody in connection of this case since 07.12.2020.

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 Special Judge, Excise Act, Muzaffarpur, in connection with Sibaipatti P.S. Case No.106 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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