

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18271 of 2021**

Arising Out of PS. Case No.-145 Year-2019 Thana- SINGHIYA District- Samastipur

MAHINDRA THAKUR @ MAHENDRA THAKUR Son of Late Pulkit
Thakur Resident of Village - Bharath Bangarhatta, P.S.- Singhia, District -
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Adv

For the Opposite Party/s : Ms. Suman Kumari Sinah, APP

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

2 26-10-2021 Heard learned counsel for the petitioner and learned
APP for the State.

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

Petitioner seeks bail in connection with Singhia
P.S. Case No. 145 of 2019 registered under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

Petitioner stated to be in custody since 12.10.2020.
There is alleged recovery of 355.500 litres illicit liquor from his
house.

Learned counsel for the petitioner submits that he



was not present at the time and place of recovery. In fact with family he had gone to attend marriage ceremony and behind his back the alleged recovery has been made. The property is joint family property and criminality cannot be attributed to the petitioner for the recovery. He is aged about 73 years old and has no criminal antecedents.

Learned APP 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 bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge IInd-cum-Special Judge Excise, Samastipur in Singhia P.S. Case No. 145 of 2019, 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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