

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24038 of 2021

Arising Out of PS. Case No.-225 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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Krishan Kumar, S/O Suresh Mandal, R/o village- Bharatkhan, P.S.- Parbatta,
District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Siddhartha Kumar Singh, Advocate
For the Opposite Party/s : Mr.Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 03-12-2021 Today being Friday, matters are being taken up
through virtual mode as per current procedure for hearing.

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

The petitioner seeks bail in connection with
Prosecution Report No.10/2020 dated 10.12.2020 arising out of
CI No.225/2020 registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2016.

The prosecution case alleges recovery of 216 litres of
illicit liquor from a *Tata Safari* vehicle.

Petitioner's counsel submits that the petitioner is a
bystander and he has falsely been implicated though he has no



connection with the vehicle or illicit liquor. Driver of the vehicle, namely, Kishor Kumar, has been allowed bail in Cr.Misc. No.18581 of 2021. Having no criminal antecedents, the petitioner is in custody since 10.12.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submission 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.

Accordingly, 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 court of learned Special Judge, Excise, Purnia, in connection with Prosecution Report No.10/2020 dated 10.12.2020 arising out of CI No.225/2020, 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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