

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 37221 of 2021

Arising Out of PS. Case No.-286 Year-2021 Thana- SAKRA District- Muzaffarpur

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AMAN KUMAR @ RAJA S/O CHANDRA SHEKHAR SINGH R/O
VILLAGE-RAMPUR BHASAUN, P.S-SAKRA (BARIARPUR O.P.),
DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh

For the Opposite Party/s : Mr. Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-12-2021 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 Sakra P.S.
Case No. 286 of 2021 registered under Sections 411, 414/34 of
the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

Having no criminal antecedents, as per averment in
the petition, the petitioner is at present in custody since
23.05.2021 for alleged recovery of 42.750 litres illicit liquor



from under-constructed house from where accused persons were arrested.

Learned counsel for the petitioner submits that house stands on the name of co-accused Rajan Kumar. There is some recovery also from the motorcycle parked, there with which petitioner has no concerned. It is submitted that even as per FIR, the house is under construction and is accessible to one and all so petitioner cannot be held responsible for the alleged recovery.

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 Special Judge, Excise, Muzaffarpur in Sakra P.S. Case No. 286 of 2021, 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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