

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37087 of 2021

Arising Out of PS. Case No.-187 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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AVINASH KUMAR Son of Shambhu Sah Resident of Village - Hanuman
Nagar, P.S. - Gayghat, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh
For the Opposite Party/s : Mr. A.G.

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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 Excise Case
No. 187 of 2021 registered under Section 30(a) of Bihar Excise
Prohibition Act 2016.

56 litres illicit liquor (beer) has allegedly been
recovered from the petitioner's *aangan* (courtyard).

Learned counsel for the petitioner submits that the
petitioner's house is a joint family property, he cannot be held
liable for the recovery in question. He has no criminal antecedents



and he is in jail since 10.04.2021.

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 Act, Muzaffarpur in Excise Case No. 187 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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