

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37574 of 2021

Arising Out of PS. Case No.-57 Year-2021 Thana- BENIPATTI District- Madhubani

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Raudi Das, Male, aged about 65 years, S/O Late Dhanraj Das R/O Village-
Aukuli, P.S.-Arer, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-12-2021 Heard learned counsel for petitioner and learned counsel
for the State.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
office when called upon to do so by the office.

The petitioner seeks bail in Benipatti PS Case No. 57 of
2021, instituted for the offence under Sections 272 and 273 of
the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

Total 36 litres *Nepali* country made liquor is alleged to



have been recovered from the motorcycle on which the petitioner was stopped by the police.

It is submitted that the petitioner bears a clean past. Recovery is not in accordance with law. The petitioner has falsely been implicated in this case and he is in custody since 23.03.2021.

The learned APP representing 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 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 the learned Additional District and Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, in connection with Benipatti PS Case No.57 of 2021, corresponding to G.R. No. 491 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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