

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38668 of 2021

Arising Out of PS. Case No.-57 Year-2021 Thana- GORIAKOTHI District- Siwan

Sanjeev Kumar, S/O Dudhnath Prasad, R/o Village- Chainpur, P.S.- Goreya
Kothi, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Ms.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Gorea
Kothi P.S. Case No.57 of 2021 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

From a truck 25.920 litres illicit liquor was
recovered. The recovery has led the police to search the
petitioner's house from where there is alleged recovery of
138.960 litres of illicit liquor.

The petitioner's counsel submits that the petitioner
has clean antecedents and the recovery is from a place
accessible to one and all, for which the petitioner cannot be held
liable. He is in custody since 29.03.2021 based on such



allegations, which are false and motivated.

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 2nd Additional District & Sessions Judge cum Special Judge, Excise, Siwan, in connection with Gorea Kothi P.S. Case No.57 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.

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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