

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36813 of 2020**

Arising Out of PS. Case No.-231 Year-2020 Thana- BARAUNI District- Begusarai

Mohit Kumar, Son of Shambhu Singh, Resident of Kesbe Keshave, P.S.-  
Barauni (Refinery), Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pritish Kumar Lal, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      01-02-2021                      Heard learned counsel for the petitioner and the  
learned APP for the State.

The petitioner seeks bail in connection with Barauni  
(Refinery)P.S. Case No.231 of 2020 for the offence punishable  
under Sections 30(A), 41(1) and (2) of the Bihar Prohibition and  
Excise Act, 2016.

From an alleged truck and a motorcycle parked near  
Maa Tara Help Food Private Ltd. Company, 2937 litres illicit  
liquor has been recovered/seized. The petitioner was arrested  
while fleeing away.

Counsel for the petitioner submits that he was  
working in Maa Tara Help Food Private Ltd. Company and  
therefore was sleeping there and has been arrested. The  
petitioner has no concern with the truck in question. He is now



in custody since 02.07.2020 and has no criminal antecedents.

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

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

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 learned Special Judge (Excise Act), Begusarai, in connection with Barauni (Refinery) P.S. Case No.231 of 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)**

PNM

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