

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 36577 of 2020**

Arising Out of PS. Case No.-124 Year-2020 Thana- KATEYA District- Gopalganj

Parmatma Singh @ Parmatma Bhagat son of Vikrama Singh resident of
village- Sahpur Pakariyar, Police Station- Gopalpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Ms Pushpa Sinha, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 30-01-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Kateya Police Station (for
brevity, *PS*) Case No 124 of 2020 instituted for the offence
punishable under Section 30 (a) of Bihar Prohibition and Excise
(Amendment) Act, 2018.

44.6 liters of alleged illicit liquor has been recovered
from two persons moving on a motorcycle. Petitioner has been
implicated as the said two persons have disclosed that they were
carrying the illicit liquor for him.

Petitioner's counsel submits that implication is by
virtue of earlier antecedents. Even, as per the prosecution case,
the illicit liquor has not been recovered from the petitioner's



possession or property. The petitioner has now been in custody in connection with this case since 07.06.2020. In two out of the earlier three cases, pending against the petitioner as per disclosure in paragraph 3 of the petition, he is on bail.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge, (Excise), Gopalganj in Kateya PS Case No 124 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today



for depositing requisite Court fee and removing the defect (s), as
pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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