

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37233 of 2020

Arising Out of PS. Case No.-35 Year-2020 Thana- BAUNSI District- Banka

Deepak Laiya, Son of Pairu Laiya, Resident Of Village -Dhakamore, Police
Station- Barahat, District-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

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

The petitioner seeks bail in connection with Bounsi
P.S. Case No.35 of 2020 registered for the offence punishable
under Section 414 of the Indian Penal Code and Sections 30(a)
of the Bihar Prohibition and Excise Act, 2016.

188.1 litres liquor is allegedly seized from the auto
driven by the petitioner.

Petitioner's counsel submits that since 07.02.2020
i.e., nearly one year, the petitioner is in jail custody. The
petitioner has become a victim of the circumstances. It is a case
of false implication and he 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 Additional Sessions Judge-II, Banka, in connection with Bounsi P.S. Case No.35 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)

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