

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37928 of 2020

Arising Out of PS. Case No.-343 Year-2020 Thana- MINAPUR District- Muzaffarpur

Prakash Kumar Son of Rajkishore Shahi Resudent of Village - Birpur, P.S.-
Kanti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr.Md. Sufiyan, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 05-02-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honor 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.

The petitioner seeks bail in Minapur (Panapur OP) PS Case No. 343 of 2020, instituted for the offence under Sections 272, 273, 414 and 34 of the Indian Penal Code and Sections 30(a)/41 of the Bihar Prohibition and Excise Act, 2018.

It is alleged that petitioner has been apprehended with 22.5 litres of illicit liquor. The petitioner's implication is in this circumstance.

Learned counsel for petitioner submits that he has become a victim of the circumstance where as he was near the place from where recovery has been made of the alleged illicit liquor with which the petitioner has no concern. Recovery is not in accordance with the prescribed procedure and having no



criminal antecedents he is now in custody since 07.09.2020.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, 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, Muzaffarpur, in connection with Minapur (Panapur OP) PS Case No 343 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.

(Madhuresh Prasad, J)

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