

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39488 of 2020

Arising Out of PS. Case No.-120 Year-2020 Thana- MAJORGANJ District- Sitamarhi

SUNIL SINGH Son of Late Vigu Singh @ Bigu Singh Resident of Village -
Harpur Kala, P.S.- Mejorganj, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 17-02-2021 Heard learned Counsel for the petitioner and the learned
Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Mejorganj PS Case No. 120 of 2020 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

251 Liters of Nepali Saufi wine has been recovered from a bag and one motorcycle.

Learned Counsel for the petitioner submits that he has become victim of the circumstances as recovery is from behind his house. He has no concern with the recovery and the place is accessible to one and all. In the circumstances criminal liability cannot be fastened on the petitioner. He is not owner of the recovered motorcycle. He is in custody since 28.8.2020. It is stated that he is a man of clean antecedent.

Learned APP has opposed the prayer for bail.



Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge, Excise Act, Sitamarhi in Mejorganj PS Case No. 120 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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