

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39360 of 2020

Arising Out of PS. Case No.-177 Year-2020 Thana- HARLAKHI District- Madhubani

Bablu Kamat Son Of Kari Kamat Resident Of Village- Jhitkohiya, P.S-
Basopatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.

For the State : Mr. Ram Priya Sharan Singh APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-02-2021 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 Harlakhi PS Case No. 177 of 2020 instituted for the offence under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

36 litres *Nepali* liquor has allegedly been recovered from the petitioner's possession.

It is submitted that it is a case of false implication on extraneous circumstance. The petitioner is in custody since 06.10.2020 and has no criminal antecedents. Recovery is in contravention of section 100 Cr PC and there is no forensic material to suggest that it is any intoxicant.

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 Additional Sessions Judge -II-cum-Special Judge, Excise Act, Madhubani, in connection with Harlakhi PS Case No. 177 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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