

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11169 of 2021

Arising Out of PS. Case No.-172 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

Abhimanyu Kumar Son of Arjun Rai, resident of village- Akilabad, P.S.-
Hajipur Sadar, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 07-07-2021 In view of sudden resurgence of COVID–19 infection
there is limited functioning of the High Court and therefore the
matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and the
learned APP 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 Hajipur Sadar P.S. Case
No.172 of 2020 registered for offence punishable under section
414 of the Indian Penal Code and section 30 (a) of the Bihar
Prohibition and Excise Act.

105 litres country made liquor has been recovered



from the river bank. The local persons have stated the petitioner's name has been responsible for bringing the same. The liquor was found on motor cycle and tempo.

The petitioner's counsel submits that only to his criminal antecedent, he has been implicated in this case on suspicion. There is no basis for the petitioner identification. He is in custody since 04.09.2020 and even as per the prosecution case he has not been arrested at the time and place of recovery and neither is there any recovery alleged from the petitioner.

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 learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Court, Vaishali at Hajipur in Hajipur Sadar P.S. Case No. 172 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 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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