

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.422 of 2021

Arising Out of PS. Case No.-164 Year-2020 Thana- HARLAKHI District- Madhubani

DEV NARAYAN PANDIT Son of Aklu Pandit Resident of Village -
Gopalpur, P.S.- Harlakhi, Dist.- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 26-02-2021 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 Harlakhi PS Case No. 164 of 2020 registered under Sections 272, 273 of the IPC and section 30(a) of Bihar Prohibition and Excise Act, 2016.

23 liters of Nepali country wine is alleged to have been recovered from a motorcycle on which the petitioner was moving and has fallen.

Learned Counsel for the petitioner submits that the petitioner is a victim of the accident and has falsely been implicated in this case. He is in custody since 19.9.2020 having no criminal antecedent. The recovery is not in accordance with the mandatory procedure.

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 2nd Additional Sessions Judge -cum- Special Judge, Excise Act, Madhubani in Harlakhi PS Case No. 164 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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