

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5902 of 2021

Arising Out of PS. Case No.-407 Year-2019 Thana- PUPRI District- Sitamarhi

Lal Mohan, Son Of Ram Prasad Rai, Resident Of Village-Nihsa, P.S.-Pupri,
District-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-06-2021 The matter has been taken up today for consideration
through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Pupri
P.S. Case No.407 of 2019 registered for the offence punishable
under Section 272/273/34 of the I.P.C. and Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

214.500 litres of Nepali country made wine has
allegedly been recovered from a car from where some persons



have fled away. Petitioner has been identified by the Chaukidar.

It is submitted by the petitioner's counsel that the petitioner has no criminal antecedents and based on extraneous considerations, he has been implicated, though admittedly, as per the prosecution case, he was not in the car at the time of recovery. Petitioner is in custody since 04.09.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 A.D.J.-II Cum Special Judge, Excise Act, Sitamarhi, in connection with Pupri P.S. Case No.407 of 2019, 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.

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

(Madhuresh Prasad, J)

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