

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5932 of 2021

Arising Out of PS. Case No.-228 Year-2020 Thana- DIDARGANJ District- Patna

RANDHIR KUMAR Son of Umesh Rai Resident of Village - Didarganj
Bichala Tola , P.s.- Didarganj, Dist.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kaushal Kishor, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-06-2021 . In view of sudden surge 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 Didarganj PS Case No. 228 of 2020, Special Case No. 6368 of 2020 registered under Sections 30(a) and 36 of Bihar Prohibition and Excise Act, 2016 .

From the house of the petitioner there is alleged recovery of 90 liters of country made liquor.

Learned Counsel for the petitioner submits that the petitioner is in custody since 27.10.2020. He has one criminal antecedent in which he is on bail. Submission is of false implication without complying with the mandatory procedure for recovery.

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 Special Judge, Excise, Patna in Didarganj PS Case No. 228 of 2020, Special Case No. 6368 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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