

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8898 of 2021

Arising Out of PS. Case No.-239 Year-2020 Thana- RANIYATALAB District- Patna

Bipin Kumar Son of Vijay Thakur, resident of village- Majhauri, P.S.- Bikram,
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jharkhadi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-06-2021

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 Special Case No. 6132 of 2020, arising out of Ranitalab P.S. Case No. 239 of 2020 registered for offence punishable under section 30 (a) of the Bihar Prohibition and Excise Act.



Since 15.10.2020 having no criminal antecedent it is submitted by the petitioner's counsel that the petitioner is in custody on alleged recovery of 60 litres mahua wine beneath the seat of a motor cycle on which he was moving. Submission is of false implication, recovery is not in accordance with law and based on extraneous consideration.

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 Special Judge, Excise, Patna in Special Case No. 6132 of 2020, arising out of Ranitalab P.S. Case No. 239 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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