

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7920 of 2021

Arising Out of PS. Case No.-184 Year-2020 Thana- KALYANPUR District- Samastipur

Pintu Kumar, Son of Lalo Sahni, R/O Village-Rasalpur Baghala, P.S.-
Chakmehasi, District- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Prakash Poddar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-08-2021 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 Kalyanpur P.S. Case No.184 of 2020 registered for the offence punishable under Sections 30(a), 41(i)(ii)/47 of the Bihar Prohibition and Excise Act, 2018.

673 litres illicit liquor has allegedly been recovered from a pick-up Bolero. The Driver has fled away and petitioner



is alleged to be the cleaner.

Counsel submits that petitioner had no idea about the foreign liquor kept in the vehicle. Even as per the prosecution case, the Driver had fled away, which indicates that he had knowledge of the consignment. The petitioner has become a victim of circumstances as he has no connection with the vehicle or the contents thereon. It is also submitted that the petitioner has no criminal antecedents and is in custody since 19.08.2020.

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 court of learned Additional District Judge-II-cum-Special Judge, Excise Act, Samastipur, in connection with Kalyanpur P.S. Case No.184 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.

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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