

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8184 of 2021

Arising Out of PS. Case No.-397 Year-2020 Thana- BEGUSARAI TOWN District- Begusarai

Arjun Kumar S/o Suresh Poddar @ Suresh Marwari Resident of Mohalla-
Marwari, Mohalla, Ward No.22, P.S.- Nagar (Ratanpur O.P.), Distt-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Advocate
For the State : Ms.Shaheen Begum APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 05-03-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honor his
undertaking given in the instant case for depositing the requisite
court fee and to remove the defects as pointed out by office
when called upon.

The petitioner seeks bail in Town PS Case No 397 of
2020 instituted for the offence under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2016.

67.50 litres foreign liquor has been recovered from two
motorcycles on which the petitioner and three others were
moving.

Petitioner's counsel submits that petitioner has one
criminal antecedents in which he is on bail. The petitioner is in
custody since 06.09.2020 and his implication in the instant case
is false. The alleged recovery is not in accordance with law and
there is no forensic opinion to support the allegation that the



recovered substance is intoxicant.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, 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 Additional Sessions Judge -II- cum- Special Judge, Excise Act, Begusarai, in connection with Town PS Case No 397 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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