

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8986 of 2021

Arising Out of PS. Case No.-80 Year-2020 Thana- AURAI District- Muzaffarpur

Vikash Kumar aged about 19 years, male Son of Mohan Rai, Resident of Village- Maheshwara P. S.-Aurai, District- Muzaffarpur .

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner	:	Ms. Bela Singh Advocate
For the State	:	Mr. Paremeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-07-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2. Heard learned counsel for the petitioner and learned counsel for the State.

3. Learned counsel for the petitioner is expected to honour her 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 to do so by the office.

4. The petitioner seeks bail in Aurai P.S. Case No. 80 of 2020, GR No. 587 of 2020, instituted for the offence under Sections 272, 273/34 of the Indian Penal Code and Sections 30(a), 56(ka), 56(kh) of the Bihar Prohibition and Excise Act, 2018.

5. From the hut of co-accused Mohan Rai total 56.160 litres illicit liquor has allegedly been recovered. The petitioner is stated to be one who is fleeing away.



6. The learned counsel for the petitioner submits that having no criminal antecedents, the petitioner has falsely been implicated in this case. The submission is that no recovery, whatsoever, has been made from the petitioner and that he is in custody since 14.10.2020

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

8. 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 Special Judge, Excise Act, Muzaffarpur**, in connection with **Aurai P.S. Case No. 80 of 2020, GR No. 587 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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