

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 8971 of 2021

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

SAURABH KUMAR Son of Suresh Poddar @ Suresh Marwari Resident of
Mohalla-Marwari Mohalla, Ward No.-22, P.S.-Nagar (Ratanpur O.P.),
District-Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Arjun Prasad, Advocate

For the Opposite Party/s : Ms Pushpa Sinha, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

2 **15-03-2021** Heard learned counsel for the petitioner and the
learned APP for the State.

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

67.500 liters of illicit liquor has allegedly been
recovered from the two motorcycles on which the petitioner was
moving along with others.

It is submitted that having no criminal antecedent, the
petitioner is in custody under such circumstances since
18.08.2020. Recovery is not in accordance with law. Petitioner
has no concern with the recovery and has become victim of the
circumstances.

Learned APP has opposed the prayer for bail.



Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge, Excise Act, Begusarai in 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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