

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9078 of 2021**

Arising Out of PS. Case No.-501 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

Amit Kumar, Son of Asim Chaudhary, Resident of Village - Machhan, P.S. -
Mufassil (Singhaul), District - Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-07-2021 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 Mufassil
P.S. Case No. 501 of 2020 registered for the offence punishable
under Section 120(b) of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

From the *Basa* of one Jagannath Chaudhary, there is



an alleged recovery of 46.125 litres foreign liquor concealed within some husk. Petitioner's name has surfaced allegedly on the statement of local persons that he was also responsible for keeping the liquor there.

Petitioner's counsel submits that as per the FIR, the petitioner was not arrested at the time and place of recovery. His implication is only on the statement of some local persons and he has no criminal antecedents. Under such circumstances, he continues to be in custody since 12.10.2020.

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 learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai, in connection with Mufassil P.S. Case No.501 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)

PNM

U		T	
---	--	---	--

