

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9124 of 2021

Arising Out of PS. Case No.-25 Year-2020 Thana- MADHWAPUR District- Madhubani

JITENDRA RAM @ DOMA RAM S/o- Binde Ram R/V- Hanumannagar,
P.S.- Madhawapur, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 05-07-2021

In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Madhwapur PS Case No. 25 of 2020 registered under Sections 272, 273, 34 of the IPC and Sections 30(a) of Bihar Prohibition and Excise Act, 2016 .

Total 87 liters illegal liquor has allegedly been recovered. 45 Liters is said to have been recovered from the petitioner.

It is submitted by learned Counsel for the petitioner that it is a case of false implication. Recovery is not in accordance with law. Recovered substance has not been examined by any FSL to determine whether it was an intoxicant. The petitioner has no criminal antecedent and he is in custody since 27.11.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and



circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge -cum- Special Judge, Excise ACt, Madhubani in Madhwapur PS Case No. 25 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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