

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11121 of 2021

Arising Out of PS. Case No.-524 Year-2019 Thana- PAROO District- Muzaffarpur

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SUDDU KUMAR @SUDDU SAHNI SON OF SURAJ SAHNI RESIDENT
OF VILLAGE- KAMALPURA (EAST TOLA) (KAWALPURA) P.S.
PAROO, DISTRICT- MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 07-07-2021

. 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 Paroo PS Case No. 524 of 2019 registered under Sections 272, 273 of the IPC and Sections 30 and 30(a) of Bihar Prohibition and Excise Act, 2016 .

209.700 liters of foreign liquor has allegedly been recovered from the pick up van. The petitioner has been identified as one who was fleeing away.

Learned Counsel for the petitioner submits that the identification is false and unbelievable. The petitioner has no criminal antecedent and from the seizure list it is apparent that other than police personnel none has become witness to the same and therefore prosecution case of identification by locals stands falsified. The petitioner is in custody since 7.10.2020.



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 Special Judge, Excise, Muzaffarpur in Paroo PS Case No. 524 of 2019 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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