

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10941 of 2021

Arising Out of PS. Case No.-100 Year-2020 Thana- INDUSTRIAL District- Bhagalpur

SHASHI ANAND RAJ S/o Shiv Narayan Prasad Singh Resident of Village
and P.S. - Kishanpur, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-07-2021

. 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 Industrial Area PS Case No. 100 of 2020 registered under Sections 30(a) and 32 of Bihar Prohibition and Excise Act, 2016 .

3519.60 liters of illicit liquor has allegedly been recovered. The petitioner has been arrested from the Scorpio in which he was traveling.

It is submitted by learned Counsel for the petitioner that the petitioner has no concern with the alleged recovery and was passing by and has become victim of the circumstances. There is no recovery from his physical or conscious possession. The petitioner is in custody since 14.9.2020. He is on bail in the other two cases disclosed in para 3 of the bail application.

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, Bhagalpur in Industrial Area PS Case No. 100 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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