

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2598 of 2022

Arising Out of PS. Case No.-203 Year-2021 Thana- KUDHNI District- Muzaffarpur

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PRIYANSHU KUMAR SON OF NATHUNI MAHTO R/O VILLAGE-
BAJITPUR KODARIYA, P.S.- KUDHANI (TURKI O.P.), DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bipin Chandra

For the Opposite Party/s : Mr. Pronoti Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-06-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned

APP for the state.

The petitioner seeks regular bail in connection with

Kudhani (Turki O.P.) P.S. Case No. 203/2021, G.R. No.

583/2021, registered for the offences punishable under Section

30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, informant along with other

police officials reached near the village of Jairam Kharauna and

the house of Manjesh Kumar Chaudhary, seeing the police

accused persons started running away. It is alleged that 98.685

illegal foreign liquor was recovered from the Jhhopari adjacent

to the house of co-accused Navanit Kumar. It is alleged that

petitioner and others were made accused on the basis of



confessional statement of co-accused Navanit Kumar.

Learned counsel for the petitioner has submitted that the petitioner has one criminal history of one case in which he is on bail and petitioner is in custody since 13.11.2021. Charge-Sheet has already been submitted and there is no chance of absconding or tamper with the evidence. It is submitted that petitioner has not been apprehended from the spot and nothing has been recovered from the possession of the petitioner. Similarly situated persons have been granted bail by a co-ordinate Bench of this Hon'ble Court vide Cr. Misc. No. 3272 of 2022 and Cr. Misc. No. 58485 of 2021 and the case of the petitioner stands on similar footing.

The learned APP for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and the period of custody is 13.11.2021, after framing of charge, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Kudhani (Turki O.P.) P.S. Case No. 203/2021, G.R. No. 583/2021, subject to following condition:



(i) one of the surety shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned trial court itself.

(Alok Kumar Pandey, J)

Ranjeet/-

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