

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47467 of 2021

Arising Out of PS. Case No.-305 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Anshu Raj, aged about 21 years male, S/o Dinesh Kumar Singh R/o village-
Ward No. 13, Mahendrapur, P.S.- Nayagaon, District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar Singh, Adv.
For the Opposite Party : Mr. Nityanand APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-02-2022 The matter has been listed today for consideration
through Video Conferencing.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
office when called upon to do so by the office.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in Muffassil P. S. Case No. 305
of 2021, instituted for the offence under Sections 30(a) of the
Bihar Prohibition and Excise Act, 2016 and Section 120B of the
Indian Penal Code.

Petitioner along with two other persons, as per allegation



has started fleeing away from a place where illicit liquor was kept in a box. He has been apprehended.

Learned counsel for the petitioner submits that on the basis of such prosecution story leading to recovery of 36 liters of illicit liquor, the petitioner has been in custody since 03-06-2021 and he has no criminal antecedents.

The learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions, this Court would find that even as per the prosecution case, it is alleged that he was fleeing away from the place and there is alleged recovery of 36 litres from a box which was kept in the orchard and the fact that there is no criminal antecedents of the petitioner, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. 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 the learned Additional Sessions Judge- II-cum-Special Judge, Excise Act, Begusarai, in connection with Muffasil P. S. Case No. 305 of 2021, 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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