

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51495 of 2021

Arising Out of PS. Case No.-330 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

Prince Kumar @ Barud, S/o Late Debu Singh, R/o Village- Ratanpur, Ward
No. -23, P.S.- Nagar, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Adv.

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 31-03-2022 Heard learned counsel for the parties.

The petitioner is in judicial custody in connection with Town (Ratanpur) P.S. Case No.330 of 2021 dated 23.05.2021 (G.R. No.607 of 2021) under Sections 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Excise (Prohibition) Amendment Act, 2018, which presently pending before the court of learned Special Judge, Excise Act.

The allegation against the petitioner is that the police party in course of patrolling reached the Patel chowk and raided the place of the accused persons and found 335.675 liters of foreign liquor from their '*Gausala*'. This led to the institution of the case in question.

The counsel for the petitioner submits that the recovery was neither made from his person nor the same was done in the presence of the independent witnesses and in that



view of the matter and as he is in judicial custody since 24.05.2021 (as stated in para-17 of the bail application), he deserves bail. The counsel for the petitioner has also brought to the notice an order passed by a bench of this Court in Cr. Misc. No.1629 of 2022 dated 14.02.2022 in which one of the accused Sanjeev Kumar @ Kari was granted the privilege of anticipatory bail.

Considering the aforesaid submissions, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise Act, Begusarai in connection with Town (Ratanpur) P.S. Case No.330 of 2021 with following conditions:

(i) one of the bailor should be his family members of the petitioner and his relationship should be clearly shown with the supporting document;

(ii) he shall visit the local police station i.e. the Town (Ratanpur) Police Station every fortnight for next six months;

(iii) he shall cooperate in the trial and failure to do so for two consecutive dates failing which State is at liberty to take step for cancellation of bail;

With the aforesaid observation, this bail application is



allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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