

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62735 of 2021

Arising Out of PS. Case No.-1 Year-2021 Thana- AWTARNAGAR District- Saran

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Krishna Mahto Son Of Late Vishwanath Mahto Resident Of Village-
Dewariya Panchpatiya, Ps -AWATAR Nagar, District- Saran At Chapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-05-2022 Heard learned counsel for the petitioner and 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 connection with Awatar Nagar P.S. Case No. 01 of 2021 registered under Sections 30(a) and 36 of Bihar Prohibition and Excise Act 2016.

There is recovery of total 400 litres illicit liquor in two parts.

The petitioner's counsel submits that the petitioner has a clean past. There is no recovery from his conscious possession and he has become a victim of the circumstances, remaining in custody since 04.01.2021. Two similarly situated co-acused namely, Sanjeet



Kumar and Anujai Kumar Singh have been allowed bail in Cr. Misc.
No. 25088/2021.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, period of custody, clean antecedents and claim based on parity with similarly situated co-accused, this Court is inclined to allow the prayer for bail.

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 learned Special Judge Excise, Saran at Chapra in Awatar Nagar P.S. Case No. 01 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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