

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64821 of 2021

Arising Out of PS. Case No.-670 Year-2021 Thana- KUDHNI District- Muzaffarpur

Maharaja Kumar @ Chhedi Sahani male, aged about 25 years, Son of
Harinath Sahni Resident of Village-Madhopur Chikni, P.S.- Kudhani, District
- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar @ S.K. Anjana Adv.
For the State : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 31-05-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

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.

The petitioner seeks bail in Kudhani (Turki O.P.) PS
Case No. 670 of 2021, instituted for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act
2016.

345.600 liters illicit liquor was being unloaded from a
Bolero vehicle as per secret information received by the police.
The same had led to the petitioner's arrest from the vehicle in



question.

It is submitted by the petitioner's counsel that petitioner had taken a lift in the vehicle and, under the unfortunate circumstances, he has been arrested. He bears a clean antecedent and has no connection with either the vehicle or the recovered liquor and he is in custody since 03-09-2021.

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

Having regard to the aforesaid submission of the parties, period of custody and considering the clean antecedent 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/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned *Special Judge, Excise Act, Muzaffarpur*, in connection with *Kudhani (Turki O.P.) PS Case No. 670 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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