

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66698 of 2021**

Arising Out of PS. Case No.-256 Year-2020 Thana- KATORIYA District- Banka

Niranjan Das, Son of Late Chitranjan Das, Resident of Village - Karsokh,  
P.S.- Shambhuganj, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate

For the Opposite Party/s : Ms.Veena Kumari Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      01-06-2022                      Heard learned counsel for the petitioner and the  
learned APP for the State.

The petitioner seeks bail in connection with Katoriya  
P.S. Case No.256 of 2020 (256A/20) (Special Excise 734/2020)  
registered for the offence punishable under Sections 30(a) and  
56(D) of the Bihar Prohibition and Excise Act, 2016 and Rule  
03 of Mahua Flower Rules, 2016.

There is alleged recovery of 1000 Kgs. *Mahua*  
Flower and 150 litres illicit liquor from a pick-up van. The co-  
accused-Driver and *Khalasi* have intimated to the police that the  
van belongs to the instant petitioner. Accordingly, the petitioner  
has also been made a named accused in the FIR.

Counsel for the petitioner submits that having no  
antecedents, the petitioner has become a victim of misdeed of



the Driver and *Khalasi*, who were transporting the illicit materials without giving any knowledge of the fact to the petitioner. He further submits that there is no recovery attributed to the petitioner, even as per the prosecution case, and that investigation is complete. The petitioner is in custody since 28.08.2021.

Learned APP for the State has opposed the prayer for bail.

Having regard to the above noted submissions, the period of custody, clean antecedents and completion of investigation, 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-11, Banka, in connection with Katoriya P.S. Case No.256 of 2020 (256A/20), 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

**(Madhuresh Prasad, J)**

PNM

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