

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65846 of 2021

Arising Out of PS. Case No.-440 Year-2020 Thana- MADHEPURA District- Madhepura

KUNDAN KUMAR @ MASTER, S/o- Bhupendra Yadav @ Bhupendra Prasad Yadav Resident of Village- Mathahi, Ward No. -04, P.S.- Madhepura, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-02-2022 Heard the learned counsel for the petitioner and the learned APP for the State, through Video Conferencing.

The petitioner seeks bail in connection with Madhepura P.S. Case No. 440 of 2020, corresponding to Excise Act Case No. 351 of 2020, instituted for the offences under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The learned counsel for the petitioner submits that the petitioner is in custody since 18.09.2021, charge-sheet has been submitted and has antecedent of two cases and allegation is of recovery of 337 litres of liquor from a truck, as detailed in the FIR and the driver was arrested.

The learned counsel submits that the petitioner was not arrested from the spot and his name came in the



confessional statement of the truck driver. It is further submitted that neither the truck nor the liquor belongs to the petitioner.

The learned A.P.P. vehemently opposes the bail application.

Considering the fact the petitioner is in custody since 18.09.2021, charge-sheet has been submitted and name of the petitioner transpired in the confessional statement, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhepura, in connection with Madhepura P.S. Case No. 440 of 2020, corresponding to Excise Act Case No. 351 of 2020, with the condition that one of the bailor shall be the father of the petitioner (Bhupendra Prasad Yadav @ Bhupendra Yadav).

The application stands allowed.

(Satyavrat Verma, J)

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