

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 66286 of 2021**

Arising Out of PS. Case No.-142 Year-2021 Thana- JANDAHA District- Vaishali

PINTU KUMAR SON OF MUKESH RAI RESIDENT OF VILLAGE-
DIWANTOK, P.S- GANGA BRIDGE, DIST- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms Bela Singh, Advocate

For the Opposite Party/s : Ms Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 01-06-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, *APP*) appearing for the State of Bihar.

The petitioner seeks bail in Jandaha Police Station (for brevity, *PS*) Case No 142 of 2021 dated 09.07.2021 registered for the offence punishable under Sections 414, 272, 273 of Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act, 2018.

The prosecution alleges total recovery of 1000 liters of country made liquor from two sources, being a Maruti van and a motorcycle. As per allegation, petitioner is responsible for recovery of 900 liters from the Maruti van.

Learned counsel for the petitioner submits that while



the petitioner was waiting for a bus, he has been implicated in this case though he has no concern with the vehicle or the recovered liquor. He is having no criminal antecedent and is in custody since 09.07.2021. Investigation is complete.

The learned APP has opposed the prayer for bail.

Considering the rival submissions, this Court, for the purposes of grant of bail, is, thus, inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge, Excise Act, Vaishali in Jandaha PS Case No 142 of 2021 dated 09.07.2021 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.



Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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