

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60920 of 2022

Arising Out of PS. Case No.-105 Year-2022 Thana- PATORI District- Samastipur

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Pintu Kumar Rai @ Pintu Kumar, son of Late Ramdayal Rai, Resident of
Village- Dharnipatti (Gadhi Mohanpur), P.S.- Patori, O.P.- Mohanpur,
District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mr.Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-01-2023 Today being Friday, matters are being taken up
through virtual mode as per current procedure for hearing.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Mohanpur (O.P) Shahpur Patori P.S. Case No.105 of 2022
registered for the offence punishable under Sections 272, 273,
34 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2018.

There is alleged recovery of 70 litre country made
liquor. The petitioner is stated to be carrying the same in a
container on a motorcycle.

Learned counsel for the petitioner submits that the



petitioner has no connection with the recovered liquor, which is not supported by procedure prescribed under Section 100 Cr.P.C. Being a passer-by, he has been implicated falsely and is in custody since 29.06.2022. The petitioner's implication is due to the fact that he has two criminal antecedents, however, he is on bail in both these cases.

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

Considering the rival submissions, the period of custody as also the facts and circumstances of the case, 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.

Accordingly, 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 Exclusive Special Excise Court II, Samastipur, in connection with Mohanpur (O.P) Shahpur Patori P.S. Case No.105 of 2022, 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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