

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61660 of 2022

Arising Out of PS. Case No.-228 Year-2022 Thana- BARAULI District- Gopalganj

ANIL RAI, SON OF LATE SHAMBHU RAI, R/O MOHALLA-
HANUMAN NAGAR, P.S.- RAJEPUR, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baijnath Sah, Advocate

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

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 Barauli P.S. Case No. 228 of 2022 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2016-cum-2018.

It is alleged that 109.740 liters illicit liquor was recovered from the petitioner while he was moving on a motorcycle.

Learned counsel for the petitioner submits that the petitioner has no concerned with the alleged recovery. Recovery is not in accordance with law. The petitioner, having no antecedent, has falsely been implicated since he was near the place of recovery. He is behind bars since 24.06.2022.

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



Considering the rival submissions, 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 ADJ-II-cum-Special Excise Judge Court No.1, Gopalganj, in connection with Barauli P. S. Case No. 228 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.

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)

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