

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62405 of 2022

Arising Out of PS. Case No.-31 Year-2022 Thana- ANDHRAMATH District- Madhubani

Awadhesh Keshri, Son of Brahamdeo Keshri, R/v- Narhi, P.S.-Andhramath,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 10-02-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Andramath P.S. Case No.31 of 2022 corresponding to G.R. No.126 of 2022 registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Three persons, including the petitioner, has allegedly fled away while one has been apprehended while loading 342 litres of liquor packed in sacks, in a car.

The learned counsel for the petitioner submits that petitioner's implication is based on his earlier antecedents. As per prosecution case, he was not present at the time of recovery and there is no recovery from him. He is in custody since 16.08.2022. Investigation is complete.

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

Having regard to the manner of recovery, submissions



advanced by the parties, period of custody, and the fact of investigation being complete, 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 Special Judge, Excise Act, Jhanjharpur, in connection with Andramath P.S. Case No.31 of 2022 corresponding to G.R. No.126 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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