

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62247 of 2022

Arising Out of PS. Case No.-230 Year-2022 Thana- MUSAHARI District- Muzaffarpur

Sanjeev Kumar Son Of Devendra Sahni R/O Village- Chhoti Kothiya Punas,
P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv
For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-01-2023 Today being Friday, matters are being taken up through virtual mode, as per current procedure for hearing.

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

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Mushahari P.S. Case No. 230 of 2022 registered under Section 272, 273 and 34 of Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

1044 litres illicit liquor is alleged to have been recovered from Bolero pickup. Petitioner and others are allegedly said to be fleeing away and they have been apprehended.

Learned counsel for the petitioner submits that having no



antecedent, petitioner has been implicated in this case falsely and he is in custody 28.08.2022. His service has been requisitioned for unloading of the vehicle and when he came to the place, he has been apprehended, though he has no concern.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, manner of recovery, nature of allegation and the fact that investigation is complete, this Court is inclined to allow the petitioner's prayer for bail. Prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court of Ld. Exclusive Special Excise Court No. 1, Muzaffarpur in Mushahari P.S. Case No. 230 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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