

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63425 of 2022

Arising Out of PS. Case No.-162 Year-2022 Thana- CHACKMEHSI District- Samastipur

Raju Kumar, S/O Bunni Lal Mahto, Resident of village- Somnaha Mirja
Nagar, P.S.- Chakmehsi, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms.Anita Kumari, 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 the
learned APP for the State.

The petitioner seeks bail in connection with
Chakmehsi P.S. Case No.162/22, corresponding to G.R. No.685
of 2022, registered for the offence punishable under Sections
468, 471, 420, 414/34 of the I.P.C. and Sections 30(a), 32, 36,
41 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

2791.44 litres illicit liquor has been recovered the
truck. Two persons have been apprehended, namely, Shyam
Kumar Singh and Ajit Kumar. The co-accused Shyam Kumar
Singh has stated about the petitioner being one of the persons
who fled away.



Counsel for the petitioner submits that merely on the basis of statement of co-accused, he has been implicated. His arrest has led to no recovery and he was not present at the time and place of recovery. Having no antecedents, he is in custody since 16.09.2022. Co-accused has been allowed bail in Cr.Misc. No.65279 of 2022.

Learned APP for the State 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 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 Court-I, Samastipur, in connection with Chakmehsi P.S. Case No.162/22, corresponding to G.R. No.685 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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