

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67985 of 2022

Arising Out of PS. Case No.-197 Year-2021 Thana- KATRA District- Muzaffarpur

Sawan Thakur, (Male), aged about 30 years, S/O Laxmeshwar Thakur
Resident of Village- Yajuar, P.S.- Katra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and the learned APP
for the State.

The petitioner seeks bail in connection with Katra P.S. Case No. 197/2021 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

223.650 litres (two hundred twenty three litres & six hundred fifty millilitres) illicit liquor has been recovered from the husk house of Shatrughan Mahto and Durgesh Mahto. Petitioner's implication is only on the basis of information that petitioner is consignee of the liquor and it has been stored by him.

Learned counsel for the petitioner submits that on statement of other persons, he has been made accused in large number of cases nearly twenty (20), that he knows of. There is no recovery from the petitioner even as per First Information Report (for brevity 'F.I.R'), nor it is from his house or property. He was also not present at the place of recovery. He is in custody since 02.03.2022. It is submitted that investigation is complete.

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



Considering the rival submissions, period of custody 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.

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 No.1, Muzaffarpur, in connection with Katra P.S. Case No. 197/2021, 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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