

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6562 of 2022

Arising Out of PS. Case No.-823 Year-2021 Thana- NAGAR District- Vaishali

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Anil Ray, S/o- Shanta Ray Resident of Village - Harivanshpur, P.S. - Hajipur
Town, District - Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Hajipur Town P.S. Case No. 823 of 2021 (Excise G.R. No. 943/2021) registered for the alleged offences under Sections 30(a) of the Bihar Prohibition Act and Excise Act, 2018.

Allegedly, 40 litres of country made liquor was seized at the instance of the petitioner and 500 litres of *Jawa Mahua* was also seized, which was destroyed by the police.

The learned counsel for the petitioner submits that



nothing has been recovered from the possession of this petitioner. The illicit liquor and Jawa Mahua were recovered from the house of the co-accused and the petitioner has got nothing to do with either of them. The charge-sheet has been submitted and the petitioner is in custody since 15.10.2021 and is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that charge-sheet has been submitted and further considering the period of the custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-cum-Additional Sessions Judge, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 823 of 2021 (Excise G.R. No. 943/2021), subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive



dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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