

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6899 of 2022**

Arising Out of PS. Case No.-318 Year-2021 Thana- SURSAND District- Sitamarhi

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ASHOK KUMAR Son of Shiv Nath Mahato Resident of Village- Sursasnd,  
Ward No.14, P.S.- Sursand, District- Sitamarhi.-843331

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Subodh Kumar, Adv.

For the Opposite Party/s : Mr. J.N. Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR**  
**PANDEY**

ORAL ORDER

2      26-05-2022                      The learned counsel for the petitioner is directed to  
  
remove all the defects pointed out by the stamp reporter within one  
  
month.

Heard learned counsel for the petitioner as well as  
  
learned APP for the State.

In this case, the petitioner is seeking regular bail in  
  
connection with Sursand P.S. Case No. 318 of 2021, registered for  
  
the offences punishable under Section 414 of the Indian Penal Code  
  
read with Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

As per allegation, 315 litres of liquor was recovered  
  
from the house of co-accused Shyam Kumar. Some suspicious  
  
articles were recovered from a hut situated in front of the house of  
  
the present petitioner.

Learned counsel for the petitioner has submitted that



the petitioner is a person of clean antecedents and he is under custody since 22.12.2021.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge-II-cum-Special Judge, Exclusive Excise Court-II, Sitamarhi in connection with Sursand P.S. Case No. 318 of 2021, subject to the following conditions:-

(i) The learned court below shall accept the bail bond only after verifying the criminal antecedents of the petitioner.

(ii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(iii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

**(Nawneet Kumar Pandey, J)**

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