

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7773 of 2022

Arising Out of PS. Case No.-270 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

=====

Md. Miraj Mian @ Md. Meraz S/o Late Hakim Mian R/o village- Chainpur
Bangra, P.S.- Maniyari, District- Muzaffarpur, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate.
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-06-2022 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 and the

learned APP for the State.

Petitioner seeks regular bail in a case registered for

the offence punishable under Section 30(a) of the Bihar

Prohibition and Excise Act.

Allegedly 344.560 litres foreign liquor was recovered

from the house of co-accused namely Suleman Mian.

The main submissions advanced by learned counsel

for the petitioner are that this petitioner has got clean antecedent

and the recovery of alleged wine is stated to have been made



from the house of co-accused who has been granted anticipatory bail by this Court vide order passed in Cr. Misc. no. 65717 of 2021 and petitioner is languishing in jail since 15.12.2021.

Learned APP has opposed the prayer for bail.

Having considered the above submissions and considering the place of recovery which is stated to be a house of co-accused and according to above submission the said accused has been granted anticipatory bail by a co-ordinate bench of this Court, in my view the petitioner also deserves to bail as his case stands on better footing from the said co-accused, let the petitioner 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 concerned Court in connection with Excise P.S. case No. 270 of 2021 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the



witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(4) The Court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the Court below shall take serious action against him for cancellation of his bail bond.

(Shailendra Singh, J)

siddharthkr/-

U		T	
---	--	---	--

