

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7567 of 2022

Arising Out of PS. Case No.-417 Year-2020 Thana- BIDUPUR District- Vaishali

ANISH KUMAR @ AKSHAY @ AKSHAY KUMAR S/o Late Sarvan Singh
@ Satish Chandra Bharti Resident of Village- Ward No.13, Maile, P.S.-
Bidupur, District- Vaishali.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha

For the Opposite Party/s : Mr.A.G.

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

ORAL ORDER

2 26-05-2022 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 Bidupur P.S. Case No. 417 of 2020, registered

for the offences punishable under Section 30 (a) of Bihar

Prohibition and Excise Act.

As per allegation, police got information that the

petitioner has brought illicit liquor for sale. On that informant a

truck was intercepted and on search 4986 litres liquor was

recovered. The driver of that truck did not reply satisfactorily.



Learned counsel for the petitioner has submitted that the petitioner was not arrested at the spot. Nothing was recovered from his possession and Nikka Ram (the driver) has been granted bail by the coordinate Bench of this Court. He has submitted further that petitioner is under custody since 09.11.2021. He has also submitted that the charge has already been framed.

Considering the period of detention as well as taking notice of the criminal antecedents of the petitioner, 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 learned Exclusive Special Excise Court No. 1 cum-Additional District & Sessions Judge, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 417 of 2020, subject to the following conditions:-

(i) If the charge has already been framed, the bail bond of the petitioner may be accepted.

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

(ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution



will have liberty to file an application before the court below for cancellation of the bail of the petitioners 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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