

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9413 of 2022**

Arising Out of PS. Case No.-11 Year-2022 Thana- MOHIUDDIN NAGAR District-
Samastipur

=====

Sarwan Kumar @ Sarwan Kumar Ray, son of Rajdeo Ray, resident of village-
Matiaur, P.S.-Mohiuddin Nagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-07-2022 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 Mohiuddin Nagar P.S. Case No. 11 of 2022 registered for the alleged offences under Sections 30 (a)/34 of Bihar Prohibition and Excise Act.

The prosecution case is that the police received information about the petitioner and co-accused persons for being involved in trade of illicit liquor and the place from where they were doing this business was raided and total 12 liters of



country made liquor was recovered. The petitioner was also apprehended from the spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The liquor has not been seized from his conscious possession either from his house or from his person. The charge sheet has been submitted in this case and he is in custody since 16.01.2022 and is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the charge sheet has been submitted and the petitioner is in custody since 16.01.2022, 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 Special Judge, Excise-02, Samastipur, in connection with Mohiuddin Nagar P.S. Case No. 11 of 2022, subject to the following conditions :

- (i) One bailor will be the deponent, who has sworn the affidavit, and another bailor 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.

V.K.Pandey/-

(Arun Kumar Jha, J)

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