

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10123 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- JAYNAGAR District- Madhubani

1. Dhiraj Kumar Son Of Bechan Jha, R/O Village- Raghapur Balat, P.S.- Rajnagar, District- Madhubani
2. Gagan Mandal Son Of Kripal Mandal, R/O Village- Raghapur Balat, P.S.- Rajnagar, District- Madhubani
3. Radhe Shyam Mishra @ Rahe Shyam Son Of late Mahikant Mishra, R/O Village- Raghapur Balat, P.S.- Rajnagar, District- Madhubani

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Shailendra Kumar Jha, Adv.
For the Opposite Party	:	Mr.Ram Naresh Ray, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-06-2022 At the beginning of the arguments, learned counsel for the petitioners submits that due to inadvertence, the father's name of petitioner no.3 has left in the petition. Therefore, permission may be granted to add the father's name of petitioner no.3.

Let the permission be granted.

Learned counsel for the petitioners is directed to add the father's name of petitioner no.3 in course of the day.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with

Jaynagar P.S. Case No. 14 of 2022 lodged under Section 414 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Total 243 litres of Nepali country made liquor has been recovered in this case.

Learned counsel for the petitioners submits that charge sheet has already been filed in this case and petitioners are in custody since 12.01.2022 having no criminal antecedent.

Learned A.P.P. has opposed the prayer for bail.

Considering the facts of the case and after perusal of records as well as this aspect that charge sheet has already been submitted and petitioners are in custody since 12.01.2022 having no criminal antecedent, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Jaynagar P.S. Case No. 14 of 2022, subject to the following conditions:-

(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 petitioner and the learned court below will take decision in accordance with law.

Accordingly, the bail application stands disposed of.

(Dr. Anshuman, J)

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