

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9884 of 2022

Arising Out of PS. Case No.-294 Year-2021 Thana- GORAUL District- Vaishali

Nagmani Rai @ Nagmani Kumar S/O Lakhindra Rai R/O Village- Mathna
Milik, Ward No.-10 Begam Patti, Begham Patti, P.S.- Goraul (Kathara O.P.),
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Goraul
(Kathara O.P.) P.S. Case No. 294 of 2021 registered for the
offence under Section 30(A) of the Bihar Prohibition and Excise
Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 07.12.2021.

The allegation against the petitioner is that he
attempted to run away from the place of occurrence but
apprehended.

Learned counsel appearing on behalf of the petitioner



submitted that the allegation against the petitioner is only limited to run away from the place of occurrence. It has further been submitted that nothing incriminating has been recovered from the conscious possession of the petitioner and further petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that allegation against the accused petitioner is only limited to run away from the place of occurrence.

Considering the facts and circumstances as mentioned above, as allegation against the petitioner is only limited to run away from the place of occurrence coupled with fact that petitioner is a man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with Goraul (Kathara O.P.) P.S. Case No. 294 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Vaishali, Hajipur, subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing the State



shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be properly represented on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

(iii) That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

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