

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12242 of 2022

Arising Out of PS. Case No.-425 Year-2021 Thana- MIRGANJ District- Gopalganj

Badak Singh Son Of Late Raghunath Singh, R/O Village- Jigra Gopal, P.S.-
Mirganj, District- Gopalganj Petitioner

Versus

The State Of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mirganj P.S. Case No. 425 of 2021 lodged under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

As per allegation, total 152 litres of country made
liquor as alleged to be recovered but from the place of
occurrence, nobody was arrested and it was alleged that four
persons have fled away and the alleged material was recovered
in front of the school.

Learned counsel for the petitioner submits that
nothing was recovered from the conscious possession of the
petitioner and he is innocent. Learned counsel for the petitioner
further submits that charge sheet has already been filed in this
case and petitioner is in custody since 22.01.2022 having clean
antecedent.

Learned A.P.P. opposes the prayer for bail.

In the present facts and circumstances of the case that the charge sheet has already been submitted in this case, petitioner is in custody since 22.01.2022 having clean antecedent, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-IV -cum- Special Judge, Excise Court-II, Gopalganj in connection with Mirganj P.S. Case No. 425 of 2021, 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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