

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13472 of 2022

Arising Out of PS. Case No.-39 Year-2022 Thana- HILSA District- Nalanda

Sujit Kumar S/o Ganesh Chaudhary R/o village- Bihari Road, P.S.- Hilsa,
District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office
be removed within 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 Hilsa P.S. Case No. 39 of 2022 registered for
the alleged offences under Section 30(a)(c) of Bihar Prohibition
and Excise Act, 2016.

Allegedly the petitioner was arrested from his house
from where 5 liters of country made liquor and some
implements for manufacturing the liquor were recovered.

The learned counsel for the petitioner submits that
petitioner is innocent and the alleged manufacturing implements



are nothing but house hold utensils. Learned counsel for the petitioner further submits that except for police personnel there are no independent witness in seizure list. The petitioner is in custody since 18.01.2022. Though the petitioner is an accused in two other cases, he is on bail in both the cases.

Learned A.P.P. for the State has opposed the prayer of bail of the petitioner submitting that there has been recovery of country made liquor from this petitioner.

Having regard to the submissions made hereinabove and considering the quantity of liquor recovered from this petitioner and his period of custody, 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 Excise Court-I, Biharsharif, Nalanda in connection with Hilsa P.S. Case No. 39 of 2022, subject to the following conditions :

(i) The bail bond of the petitioner shall be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.



(iv) 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.

(Arun Kumar Jha, J)

ved/-

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