

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14233 of 2022

Arising Out of PS. Case No.-36 Year-2022 Thana- BYPASS District- Patna

Suraj Kumar, son of Raj Kumar Bind, Resident of Village - Bahari Begampur,
Mahaveer Asthan, P.S.- Bypass, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioner and learned
APP for the State 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 Bypass P.S. Case No. 36 of 2022 registered for the alleged offences under Sections 30(a)/ 37(c) of the Bihar Prohibition and Excise Amendment Act, 2018.

The prosecution case is that the petitioner and other co-accused persons were apprehended in an intoxicated state from a tempo and 200 litres of illicit country made Mahua liquor was recovered from the said Tempo.

The learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. He has got no concern with the alleged seized wine or the Tempo or even the co-accused persons. The petitioner has not been put to breath analyzer test and the test report is a forged document. The learned counsel further submits that the petitioner has got clean antecedent and he is in custody since 26.01.2022.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that charge-sheet has been submitted and further considering the nature of recovery and the 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 Judge, Excise, Patna City, Patna in connection with Bypass P.S. Case No. 36 of 2022, subject to the following conditions :

- (i) One of the bailors 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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