

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14269 of 2022

Arising Out of PS. Case No.-782 Year-2021 Thana- SARAIYA District- Muzaffarpur

Arjun Khalifa Son of Machha Khalifa Resident of Village - Patedhi, P.S.-
Saraiya, District - Muzaffarpur (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Arun Kumar APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner as well

as learned Additional Public Prosecutor for the State

through video conferencing.

Petitioner seeks bail in a case registered in
connection with Saraiya P.S. Case No. 782 of 2021 for the
offences punishable under Sections 272, 273/34 of the
Indian Penal Code and section 30(a) of the Bihar
Prohibition & Excise Act 2016.

As per the prosecution case, it is alleged that on
secret information, police raided the house of the co-
accused Seema Devi and 20-20 liters spirit (Chulhai) was
recovered from both Seema Devi and Vikash Kumar
respectively. It is further alleged that petitioner and other



persons were found to be in intoxicated condition.

It is submitted by the learned counsel for the petitioner that nothing has been recovered from possession of this petitioner and only allegation is that he being found to be in intoxicated condition. It is next submitted that petitioner is in custody since 22.11.2021 having clean antecedent.

On the other hand, learned counsel for the State opposed the bail application of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that nothing has been recovered from persons or possession of the petitioner, moreover he is in custody since 22.11.2021, apart from the fact that investigation has already been completed and charge sheet has been submitted and keeping the petitioner behind the bar for a further period would serve no purpose, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court-II, Muzaffarpur in connection with Saraiya P.S.Case No. 782 of 2021 subject



to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J.)

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