

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16323 of 2022

Arising Out of PS. Case No.-1049 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

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AVINASH KUMAR SINGH S/o Vishwanath Singh R/o village- Barauna,
P.S.- Bhagwanpur, District- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Yadav

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

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 Hajipur Sadar P.S. Case No. 1049 of 2021 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case is that from the vehicle of the petitioner, 63 liters of India made foreign liquor was recovered and the petitioner was apprehended when his vehicle was intercepted.

The learned counsel for the petitioner submits that the



petitioner has been returning from marriage ceremony of his relative and he has no knowledge about liquor kept in his vehicle. Charge Sheet has been submitted in this case and the petitioner is in custody since 28.11.2021.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the submissions made hereinabove and considering the quantity of liquor seized along with fact that charge sheet has been submitted and the petitioner is in custody since 28.11.2021, 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 Exclusive Special Excise Court No. 1-cum-Additional Sessions Judge, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 1049 of 2021, 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.

(Arun Kumar Jha, J)

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