

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18523 of 2022**

Arising Out of PS. Case No.-265 Year-2021 Thana- JANDAHA District- Vaishali

=====

Umesh Rai Son Of Kameshwar Rai R/O Village- Mahipura, Ward No.-4, P.S.-
Jandaha, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-07-2022 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 Jandaha P.S. Case No. 265 of 2021 registered for the alleged offences under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Allegedly 50 liters of country made *chulai liquor* was recovered from the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. Nothing has been recovered from a person or possession of the petitioner and he along with his wife were implicated in this case at the instance of one Chintu Singh who is not on good terms with the petitioner. Petitioner has no concern with the recovered articles in any manner. The co-accused wife has been granted bail by this court vide order dated 15.07.2022 passed in Cr. Misc. No. 18015 of 2022. Charge sheet has been submitted in this case and the petitioner is in custody since 17.11.2021.

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

Having regard to the submission made on behalf of the parties and considering the fact that charge sheet has been submitted and considering the period of custody of this petitioner, 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, Vaishali, Hajipur in connection with Jandaha P.S. Case No. 265 of 2021, subject to the other conditions as laid down under Section 437(3) of the Cr.P.C.

(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) The petitioner will not indulge in similar type of offences in future.

(iv) In case of absence on 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)

Gautam/-

U		T	
---	--	---	--

