

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19056 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- FATUA District- Patna

Ajay Kumar, Son Of Ram Jatan Singh, Resident Of Village - Bhagbanpur
Dewersokhi, P.S.- Fatwah, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shaukat Alam, Advocate

For the Opposite Party/s : Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through 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 Fatuah P.S. Case No. 19 of 2022 registered for the alleged offences under Sections 30 (a) and 56 (c) of Bihar Prohibition and Excise Act, 2016.

The prosecution case is that the police received secret information about the petitioner that he has been manufacturing country made liquor and selling the same, the place from where the act was being done was raided and the petitioner and co-accused were apprehended. At the instance of



this petitioner, about 200 liters of country made Mahua liquor was recovered from bushes.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He has been made an accused only on suspicion as he is a farmer and he was returning from his field. The recovery has been shown from bushes near the river and the petitioner has got no concern with the said place. The petitioner has got clean antecedent. The charge sheet has been submitted in this case and the petitioner is in custody since 06.01.2022.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the petitioner is having clean antecedent and recovery has not been made from his possession and charge-sheet has been submitted and further considering the period of his 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 Court-cum- Additional Sessions Judge, Patna City in connection with Fatwah P.S. Case No. 19 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.

(Arun Kumar Jha, J)

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