

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21449 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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Surendra Patel, S/o Late Nandjee Patel, Resident of Siswan Bazar, P.S.-
Siswan, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghav Prasad, Advocate

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-08-2022 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 Excise Police Station Case No. 19 of 2022, registered for the alleged offences under Section 30 (a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, the police received information that the co-accused Sunil Patel has stored illicit liquor in his dilapidated house to sell it through his brother, the petitioner herein and on raid being made, total 151.400 liters of



country made liquor was recovered. The petitioner was apprehended from the spot.

The learned counsel appearing on behalf of the petitioner submits that the petitioner has been arrested merely because he is the full brother of co-accused Sunil Patel and it is also clear from the FIR that the co-accused brother of the petitioner has kept the illicit liquor in his dilapidated house. The petitioner has no concern with the said house and nothing incriminating has been recovered from his conscious possession. The charge sheet has been submitted in this case and the petitioner is in custody since 23.01.2022 and is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioner, he 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 Additional Sessions Judge, Special Excise Court-2, Siwan in connection with Excise Police Station Case No. 19 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also 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 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.

V.K.Pandey/-

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(Arun Kumar Jha, J)

