

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23384 of 2022

Arising Out of PS. Case No.-391 Year-2021 Thana- Begusarai Muffasil District- Begusarai

Madhur Kunwar @ Madhur Kumar @ Abhishek S/o Pappu Kunwar Resident
of Village- Sankarpur, Bakhadda, P.S.- Matihani, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar, Adv.

For the Opposite Party/s : Mr.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Begusarai Muffasil P.S. Case No. 391 of 2021 lodged under
Sections 120B of the Indian Penal Code read with Section 30(a)
and 42(1) of Bihar Prohibition and Excise Act, 2016.

As per the allegation, the total recovery of 851.625
liters of english wine has been made in this case.

Learned counsel for the petitioner submits that he is
completely innocent. Nothing has been recovered from the
conscious possession of the petitioner. He was also not arrested
by the police. He further submits that petitioner is in custody

since 09.03.2022, charge sheet has already been filed in this case. On the point of his antecedent, he submits that petitioner is ready to fulfill all the conditions whatever shall be imposed upon him. He further submits that other co-accused persons have been granted bail by the Co-ordinate Bench of this Court vide order dated 13.06.2022 and 22.07.2022 passed in Criminal Miscellaneous No. 10511 of 2022 and Criminal Miscellaneous No. 17511 of 2022, respectively.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Judge-Ist, Begusarai in connection with Begusarai Muffasil P.S. Case No. 391 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall result into cancellation of his

bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

ravishankar/-

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