

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23545 of 2022

Arising Out of PS. Case No.-85 Year-2021 Thana- Nirmali District- Supaul

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Sudhir Kumar @ Sudhir Kumar Isar Son of Hari Narayan Ishr R/o Village -
Mainahi, Ward No. 10, P.S. - Andhramath, District - Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-08-2022 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
Nirmali P.S. Case No. 85 of 2021 lodged under Sections 419
of the I.P.C. & Section 30(a) of the Bihar Prohibition &
Excise Act 2018.

As per the prosecution case, the matter is related to
nepali wine.

Learned counsel for the petitioner submits that the
name of petitioner has come by the confessional statement of
one Ashok Kumar. He further submits that petitioner was
neither apprehended on spot nor anything was recovered from

his possession. He also submits that petitioner is in custody since 06.12.2021.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Judge – 2, Supaul in connection with Nirmali P.S. Case No. 85 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 resulted 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.)

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