

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23522 of 2022

Arising Out of PS. Case No.-91 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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SHATRUGHAN KUMAR Son of Hari Gauri Rai @ Hargauri Rai, Resident
of Village - Rachiyahi, Naya Tola, P.S.- Matihani, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr.Pushpa Sinha, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-08-2022 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
Muffasil P.S. Case No. 91 of 2022 lodged under Section 120(B)
of the Indian Penal Code read with Section 30(a) of Bihar
Prohibition and Excise Act.

In this case, total 330 litres of foreign made liquor as
alleged to be recovered.

Learned counsel for the petitioner submits that the
petitioner was apprehended by the police as per the F.I.R. but
nothing was recovered from his conscious possession. He

further submits that petitioner is innocent and has committed no offence. He further submits that it is true that he was apprehended but nothing was recovered from his conscious possession. He further submits that petitioner is in custody since 21.02.2022 having clean antecedent and charge sheet has already been filed in this case.

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-I, Begusarai in connection with Mufasil P.S. Case No. 91 of 2022, 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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