

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23561 of 2022

Arising Out of PS. Case No.-75 Year-2022 Thana- AMNAUR District- Saran

Arbind Mahto Son of Sri Baban Mahto R/v- Lalapur Chowk, P.S.-
Marhowrah, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Ramesh Chandra, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 11-08-2022 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
Amnour P.S. Case No. 75 of 2022 lodged under Sections 272,
273, 290, 504 of the Indian Penal Code read with Sections
30(a), 37(b)(c) of the Bihar Prohibition and Excise Amendment
Act, 2018.

As per the prosecution case, recovery of 182 liters of
Desi wine was alleged to be made from the possession of the
petitioner.

Learned counsel for the petitioner submits that
sections of Indian Penal Code are not attracted in this case. He

further submits that petitioner is in custody since 20.03.2022, chargesheet has already been filed in this case and antecedent of petitioner is clean.

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 1st Exclusive Special Judge Excise, Saran in connection with Amnour P.S. Case No. 75 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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