

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23532 of 2022**

Arising Out of PS. Case No.-187 Year-2021 Thana- Gangabridge District- Vaishali

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Arun Rai Son of Narayan Rai Resident of Village - Tarasia Ward no.14, P.S.-  
Ganga Bridge, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Umeshanand Pandit, 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  
Ganga Bridge P.S. Case No. 187 of 2021 lodged under Section  
30(a)(c) of Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, recovery of 150 liters of  
country made wine had made in this present case.

Learned counsel for the petitioner submits that  
nothing was recovered from the conscious possession of the  
petitioner, rather the alleged recovery was made from the  
banana orchard. He further submits that the alleged recovery is  
full of defects and Section 100 of the Cr.P.C. has not been taken

care of. He further submits that petitioner is in custody since 01.03.2022, charge sheet has already been filed. On the point of his criminal antecedent, learned counsel for the petitioner submits that though petitioner has one criminal antecedent but he is ready to fulfill all the conditions as laid down by the Court.

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 Exclusive Special Excise Court No. 1 -Cum- Additional District & Sessions Judge, Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No. 187 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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