

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23452 of 2022

Arising Out of PS. Case No.-826 Year-2021 Thana- KUDHNI District- Muzaffarpur

ROHIT KUMAR S/o- Chandeshwar Ram, Resident of Village - Chandpura
Khurd, P.S. - Goraul, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar 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
Kudhani P.S. Case No. 826 of 2021 lodged under Sections 272
and 273/34 of the I.P.C. read with Section 30(a) of the Bihar
Prohibition & Excise Act.

As per the prosecution case, total 765 liter of Foreign
Liquor is alleged to be recovered.

Learned counsel for the petitioner submits that alleged
recovery was made from the possession of one Bajrangi Kumar.
Petitioner was neither arrested from the spot nor any recovery
was made from his possession. He further submits that

petitioner has clean antecedent and charge sheet has already been filed in this case. He is in custody since 12.12.2021. He further submits that the said Bajrangi Kumar (co-accused) has been granted bail vide order dt. 25.05.2022 passed in Cr. Misc. No.3542 of 2022 from the Co-ordinate Bench of this 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.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court No. II, Muzaffarpur in connection with Kudhani P.S. Case No. 826 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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