

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40886 of 2021

Arising Out of PS. Case No.-65 Year-2021 Thana- BARUN District- Aurangabad

=====

VINOD BHUIYA @ BINOD BHUIYA Son of Srikishun Bhuiyan Resident of
Village - Wajitpur (Bajeetpur), Banjari, P.S. and Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. APP.

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 19.03.2021,
seeks bail in connection with Barun P.S. Case No. 65 of 2021,
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

The case of prosecution in brief is that altogether 450
liters of country made liquor was recovered from the house of
the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that the alleged liquor was recovered from the house of



his father in-law and the petitioner is resident of Wajitpur (Bajeetpur) Banjari, P.S. and District- Rohtas and he has falsely been made accused in the case on the pretext that the alleged liquor has been recovered from his house. It is submitted that petitioner is innocent and has clean antecedent.

Learned counsel appearing on behalf of the State has submitted that the huge quantity of liquor was recovered from the alleged place of occurrence even though the petitioner has stated that the said house is of his father-in-law. He further submits that the trade of illicit liquor is rampant in the State of Bihar and the petitioner is the member of such organized trade and as such he does not deserve to be released on bail.

Considering the aforesaid facts and circumstances of the case, the place of occurrence as has been stated by the petitioner is the *Sasural* and he is resident of district- Rohtas. The petitioner has clean antecedent and there is no allegation of tampering the evidence, the petitioner above named be enlarged on bail on furnishing bail bond of Rs.1,00,000/- (Rs. One Lakh) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge (Excise) Aurangabad in connection with Barun P.S. Case No. 65 of 2021, subject to the following conditions:-



(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

brajesh kumar/-

U			
---	--	--	--

