

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37980 of 2022

Arising Out of PS. Case No.-92 Year-2022 Thana- BIHIA District- Bhojpur

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Bittu Sah @ Bitu Sah Son of Dilip Sah Resident of Village- Amrai Nawada,
P.S.- Bihiyan @ Bihiya, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Adv.

For the Opposite Party/s : Mr. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2022 Learned counsel for the petitioner submits that due to inadvertence, the date of custody mentioned in paragraph 1 has been wrongly typed as 26.03.2022 instead of 16.03.2022. Petitioner is permitted to remove all defects in course of the day.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Bihiyan @ Bihiya P.S. Case No. 92 of 2022 lodged under Sections 272, 273, 353 of the I.P.C. read with Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

As per the prosecution case, total recovery of excise material in the present case is 105 litres desi sharab.

Learned counsel for the petitioner submits that petitioner is in custody since 16.03.2022, charge sheet has been

filed in this case and his antecedent is also 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.10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-1st, Bhojpur, Ara in connection with Bihiyan @ Bihiya P.S. Case No. 92 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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