

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37988 of 2022

Arising Out of PS. Case No.-36 Year-2022 Thana- KALER District- Jehanabad

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Balkishan S/o Late Ramkumar Resident of Village- Kheri, P.S.- Baroda,
District- Sonipat (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dheeraj Kumar, Adv.

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 27-08-2022 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
Kaler P.S. Case No. 36 of 2022 lodged under Sections 30(a), 42
of Bihar Prohibition and Excise Amendment Act, 2018.

As per the prosecution case, total recovery of excise
material in the present case is 3548.160 litres.

Learned counsel for the petitioner submits that
petitioner is khalasi having clean antecedent. Learned counsel
for the petitioner further submits that petitioner is in custody
since 09.04.2022, charge sheet has already been filed in this
case.

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 Special Judge Excise Court No. II, Jehanabad in connection with Kaler P.S. Case No. 36 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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