

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38014 of 2022

Arising Out of PS. Case No.-140 Year-2022 Thana- MOKAMAH District- Patna

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Sujit Kumar Son of Rajendra Singh @ Rajendra Prasad Singh Resident of
village- Mor Purvi, P.s.- Mokama, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Shaheen Begum, 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
Mokama P.S. Case No. 140 of 2022 lodged under Sections 30(a)
of the Bihar Prohibition and Excise Act.

As per the prosecution case, total recovery of excise
material in the present case is 1252.08 litres foreign liquor.

Learned counsel for the petitioner submits that
nothing was recovered from the possession of the petitioner. The
alleged recovery has taken place at different place at all.
Petitioner submits that he was arrested after one week of the
occurrence and in custody since 28.05.2022. Charge sheet has

already been filed in this case having 2 criminal antecedent in which he is on bail.

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 Special Judge, Excise, Barh (Patna) in connection with Mokama P.S. Case No. 140 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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