

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37995 of 2022

Arising Out of PS. Case No.-560 Year-2021 Thana- BIDUPUR District- Vaishali

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Umesh Rai Son of Ram Ekwil Ray Resident of village - Daudnagar, P.S.-
Bidupur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, 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
Bidupur P.S. Case No. 560 of 2021 lodged under Section 30(a)
of the Bihar Prohibition and Excise Act.

As per the prosecution case, total recovery of excise
material in the present case is 450 litres of country made wine
alleged to be recovered near bank of Ganga river. Counsel
further submits that petitioner is not apprehended from the place
of occurrence. He further submits that petitioner is in custody
since 31.03.2022 having one criminal antecedent and ready to
fulfill all conditions laid down by the 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.20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 560 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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