

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38257 of 2022

Arising Out of PS. Case No.-174 Year-2022 Thana- MINAPUR District- Muzaffarpur

1. Malti Devi Wife of Suryadev Rai Resident of Village - Bakhari, Police Station- Minapur, District - Muzaffarpur.
2. Laloo Kumar Son of Suryadev Rai Resident of Village - Bakhari, Police Station- Minapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.
For the Opposite Party/s : Mr. Atul Chandra, APP

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 petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Minapur P.S. Case No. 174 of 2022 lodged under Sections 30(a), 32(i) (ii)/36/41(i) of Bihar Prohibition and Excise Act.

As per the prosecution case, total recovery of excise material in the present case is 92.16 litres foreign liquor.

Learned counsel for the petitioners submit that petitioners are mother and son and in custody since 21.04.2022, charge sheet has already been filed having clean antecedent.

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 petitioners above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court-I, Muzaffarpur in connection with Minapur P.S. Case No. 174 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioners 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 petitioners.

C. The petitioners 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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