

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38276 of 2022

Arising Out of PS. Case No.-95 Year-2022 Thana- TEGHRHA District- Begusarai

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Hemraj @ Nenchandra @ Jouni @ Hemraj Nemchandra Son of Amar Singh
Resident of Mohalla- Building No. 393, Amarpuri, Near Sulabh Sauchalay,
P.S.- Paharganj, District - Central Delhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar, 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
Teghra P.S. Case No. 95 of 2022 lodged under Sections 272,
273, 120(B)/34 of the I.P.C. read with Sections
30(a)/32(2)/36/41(i)/41(ii) of the Bihar Prohibition and Excise
Amendment Act, 2018.

As per the prosecution case, total recovery of excise
material in the present case is 1209.6 litres foreign wine made
from the vehicle. The petitioner is alleged to be the driver.

Learned counsel for the petitioner submits that he was

driving the vehicle under wrong impression. He further submits that petitioner has clean antecedent and in custody since 16.04.2022, 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.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Judge-I, Begusarai in connection with Teghra P.S. Case No. 95 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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