

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38287 of 2022

Arising Out of PS. Case No.-207 Year-2021 Thana- PHULWARIYA District- Gopalganj

Rahul Kumar S/o Prabhu Chauhan @ Prabhunath Chauhan R/o village-
Baniyachhapar, P.S.- Phulwaria, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Pranav Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2022 Let the defect(s) 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
Phulwariya P.S. Case No. 207 of 2021, lodged under Section
30(a) of the Bihar Prohibition & Amendment Excise Act, 2018.

As per prosecution case, total 66 litres of *Mahua* wine
were alleged to be recovered in this case.

Learned counsel for the petitioner submits that the present
petitioner is not apprehended from the place of occurrence but
his name was figured in this case by virtue of statement of local
villagers and Chowkidar. He further submits that petitioner is in
custody since 17.04.2022 and two cases are pending against him



in which he is on bail. He further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

Learned APP for the State opposes the prayer for bail.

In the present facts and circumstances of the 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 Additional Sessions Judge-II-cum-Special Judge, Excise Court No.1, Gopalganj in connection with Phulwariya P.S. Case No. 207 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.)

Ranjeet/-

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