

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39393 of 2022

Arising Out of PS. Case No.-173 Year-2021 Thana- PARASBIGHA District- Jehanabad

Devan Kumar Son of Pundev Yadav R/o Village- Sultani, P.S.- Parasbigha,
District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-08-2022 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
Parasbigha P.S. Case No. 173 of 2021 lodged under Section
30(a) of the Bihar Prohibition & Excise Amendment Act, 2018.

As per the prosecution case, total recovery of 40 litres
desi wine is alleged to be made.

Learned counsel for the petitioner submits that the
said recovery was made from the motorcycle. The motorcycle
does not belongs to him. It is of other person. He further submits
that petitioner has been arrested by the police under wrong
impression. In support thereof, he submits that petitioner is in
custody since 30.10.2021, charge sheet has already been filed

and his antecedent is clean.

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 Special Excise Court No.- 1, Jehanabad in connection with Parasbigha P.S. Case No. 173 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.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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