

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39570 of 2022

Arising Out of PS. Case No.-87 Year-2022 Thana- BASOPATTI District- Madhubani

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DHARMVEER YADAV Son of Late Suleshan Yadav, Resident of Village and
P.S.- Basopatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vagisha Pragya Vacaknavi, Adv.

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 27-08-2022 Let the defects, as pointed out by the Office, be

removed within a period of two weeks from today.

Heard learned counsel for the petitioner and learned

APP for the state.

Petitioner seeks regular bail in connection with

Basopatti P.S. Case No. 87 of 2022 alleged under Sections 272
and 273 of the Indian Penal Code and Section 30(a), 42 of Bihar
Prohibition and Excise Act, 2016.

As per the prosecution, total 108 litres of Nepali wine

were alleged to be recovered, which was kept on two

motorcycles.

Learned counsel for the petitioner submits that he is

not the owner of the motorcycle, police has arrested him upon

chase alleging that he was standing near motorcycle. Learned

counsel for the petitioner further submits that charge sheet has already been filed in this case and petitioner is in custody since 24.04.2022 having clean antecedent.

Learned counsel 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 Act, Madhubani in connection with Basopatti P.S. Case No. 87 of 2022, subject to the conditions as laid down under Section 437(3) 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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