

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40019 of 2022

Arising Out of PS. Case No.-122 Year-2022 Thana- DINARA District- Rohtas

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Dina Nath Musahar Son of late Shree Musahar, Resident of Village -
Dhansoin More (Dinara), P.O. and P.S.- Dinara, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Saroj Kumar, Adv.

For the Opposite Party/s : Mr.Pradeep Narain Kumar, 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 Dinara

P.S. Case No. 122 of 2022 alleged under Section 30(a) of Bihar

Prohibition and Excise Amendment Act, 2018.

As per the prosecution, total 220.500 litres of foreign

liquor were alleged to be recovered from bush, situated near

road.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. He further

submits that petitioner was arrested only and only on the basis

of suspicion and he used to reside his life as *Khana Badosh*. He

further submits that charge sheet has already been filed and Petitioner is in custody since 25.04.2022 having clean antecedent.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances 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 2nd Additional Sessions Judge -cum- Exclusive Special Excise Court-1, Rohtas at Sasaram in connection with Dinara P.S. Case No.122 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.)

ravishankar/-

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