

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48661 of 2021**

Arising Out of PS. Case No.-93 Year-2021 Thana- SARAIYA District- Muzaffarpur

Sanjay Thakur @ Pappu Thakur @ Sanjay Kumar Thakur, S/O Rameshwar Thakur, Resident of Ambara Tej Singh, P.S.- Saraiya, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh, Advocate
For the Opposite Party/s : Ms.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 08-04-2022 The applicant/accused in Crime No. 93 of 2021 registered with Saraiya Police Station for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, by this application is seeking his release on bail during pendency of the trial.

Heard both sides.

The learned counsel for the applicant argued that after investigation of the subject crime, further pretrial detention of the applicant is not warranted.

The learned Additional Public Prosecutor opposed the application by contending that the applicant is having one such criminal antecedent.

I have considered the submissions so advanced and also perused the materials placed before me.



It is the case of the prosecution that on the basis of secret information, house of the applicant was raided but the applicant managed to flee away. However 78.750 litres of illicit liquor came to be seized from his house.

The investigation of the subject crime is over. The applicant is behind bars since long. Care of his one criminal antecedent can be taken by imposing stringent condition. Therefore, the order :-

- i. The application is allowed.
- ii. The applicant/accused in Crime No. 93 of 2021 registered with Saraiya Police Station be released on bail on executing P.R. bond of Rs.20,000/- (Rupees Twenty Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this



case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellant/accused.

(A. M. Badar, J)

Bhardwaj/-

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