

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40433 of 2022

Arising Out of PS. Case No.-215 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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SUHAG RAY S/o Late Shyam Bahadur Ray, R/o village- Litiyahi, P.S.-
Raghopur (Rustampur O.P.), District- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Chandra, Adv.
For the Opposite Party/s : Mr.Anil 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 C2A

Case No. 215 of 2021 alleged under Sections 30(a), 31(i), 32(i),

32(iii), 41(i) and 41(ii) of Bihar Prohibition and Excise

Amendment Act, 2018.

As per the prosecution, the total 103.680 litres of

foreign liquor were alleged to be recovered from the back room

of the petitioner's house.

Learned counsel for the petitioner submits that he is

innocent and has committed no offence. He further submits that

petitioner's name has figured in this case by virtue of remand as there are 10 cases pending against him. He further submits that charge sheet has already been filed in this case and petitioner is in custody since 12.04.2022. Learned counsel for the petitioner further submits on the point of his criminal antecedent that he is a law-abiding citizen and in 5 cases, he is on bail. He further submits that he is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

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 Exclusive Special Excise Court-II-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with C2A Case No. 215 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.

Speedy trial is the constitutional vision of justice. From paragraph- 3 it transpires that there are in total 11 criminal cases pending against this petitioner including present one, which are as follows:

- (I) Ganga Bridge P.S. Case No. 08 of 2010,
- (ii) Hajipur Sadar P.S. Case No. 508 of 2018,
- (iii) Bidupur P.S. Case No. 388 of 2018,
- (iv) Raghapur P.S. Case No. 142 of 2017,
- (v) Hajipur Town P.S. Case No. 154 of 2018,
- (vi) Ganga Bridge P.S. Case No. 104 of 2019,
- (vii) Raghapur (O.P. Rustampur) P.S. Case No.143 of 2021,

- (viii) C2A Case No. 262 of 2021,
- (ix) Raghupur P.S. Case No. 165 of 2021,
- (x) Ganga Bridge P.S. Case No. 158 of 2021 &
- (xi) C2A Case No. 215 of 2021

All cases are relating to within the territorial jurisdiction of District and Sessions Judge, Vaishali. It is due to the reason, let all the cases pending against the petitioner shall run before the Special Court with same date in all cases. Let the District and sessions Judge, Vaishali is also communicated about this order for perusal and necessary compliance.

(Dr. Anshuman, J.)

ravishankar/-

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