

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40625 of 2022**

Arising Out of PS. Case No.-2 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.  
District- Begusarai

=====

Md. Gulab Son Of Late Md. Haidar R/O Village- Khatopur, Ward No.-2, P.S.-  
Muffasil (LAKHO O.P.), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Braj Bhushan Poddar, Adv.  
For the Opposite Party/s : Mr. Rajesh Kumar, APP

=====

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      30-09-2022                      Let the defect(s), 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  
Begusarai P.S. Case No. 02 of 2022 lodged under Section 30(a)  
of the Bihar Prohibition and Excise Amendment Act, 2018.

As per the prosecution case, the total recovery of 125  
liters of *Sushav* made from the possession of the petitioner.

Learned counsel for the petitioner submits that  
petitioner is innocent and has committed no offence. He further  
submits that petitioner is in custody since 06.05.2022 having  
one criminal antecedent in which he is on bail. Charge sheet has

already been filed in this case.

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 Sri Pankaj Mishra, Exclusive Special Excise Court No. 2, Begusarai in connection with Begusarai P.S. Case No. 02 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 be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship 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.)**

ashishsingh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|