

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40577 of 2022

Arising Out of PS. Case No.-82 Year-2022 Thana- GURUA District- Gaya

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ANKIT KUMAR S/o Satendra Yadav Resident of Village Nasher, P.S.-
Gurua, District - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha

For the Opposite Party/s : Mr.Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 23-09-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State in virtual court proceeding.

The petitioner seeks bail in connection with Gurua

P.S. Case No. 82 of 2022 registered for the offences punishable

under Section 30(A) of the Bihar Prohibition of Excise Act,

2016.

As per prosecution case, there is alleged recovery

of 50 liter illicit liquor from the motorcycle in question and

petitioner is apprehended on the spot.

Learned counsel for the petitioner submits that

petitioner is in custody since 13.03.2022. Petitioner bears no



criminal antecedent. He further submits that nothing has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 of Cr.P.C.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner and argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Judge court no. 2 Gaya in connection with Gurua P.S. Case No. 82 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or



the witnesses, in that case, the prosecution will be at liberty to
move for cancellation of bail.

(Alok Kumar Pandey, J)

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