

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41574 of 2022

Arising Out of PS. Case No.-251 Year-2022 Thana- SAKRA District- Muzaffarpur

1. NITESH KUMAR S/O RAM VILASH PASWAN Resident of Village- Bela Chhapra, P.S.- Bela, District- Muzaffarpur.
2. NIRANJAN RAM S/O LATE NANPAT RAM Resident of Village- Bela Chhapra, P.S.- Bela, District- Muzaffarpur.
3. MUNNA RAM S/O DASAI RAM Resident of Village- Bela Chhapra, P.S.- Bela, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2022 Let the defect(s) if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Sakra P.S. Case No. 251/2022, lodged under Sections 272, 273, 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2018.

As per prosecution case, total recovery of 400 litres of adulterated toddy was recovered.

Learned counsel for the petitioners submit that 160



litres was recovered from the petitioner no. 1, 80 litres was recovered from petitioner no. 2 and 40 litres was recovered from petitioner no. 3. Learned counsel further submits that all the accused persons are innocent and they are in custody since 21.05.2022, charge-sheet has already been filed in this case, having clean antecedent.

Learned APP for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (rupees thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Muzaffarpur in connection with Sakra P.S. Case No. 251/2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(A.) The petitioners 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 petitioners 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)

Ranjeet/-

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