

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42507 of 2022

Arising Out of PS. Case No.-107 Year-2022 Thana- MADHEPURA District- Madhepura

Masum Kumar S/O Dilip Ray @ Dilip Ray Tiwari, Resident of Village- Jiwan
Sadanpath, Road Ward No.- 20, P.S.- Madhepura, District- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-08-2022 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
Madhepura P.S. Case No. 107 of 2022 alleged under Section
30(a) of Bihar Prohibition and Excise Act, 2018.

As per the prosecution, total 198.5 litres of foreign
liquor were alleged to be recovered from a Mahindra XUV car.

Learned counsel for the petitioner submits that he is
innocent and has committed no offence. He further submits that
petitioner has taken lift and in the meantime police stopped the
vehicle and petitioner was apprehended. Learned counsel for the
petitioner further submits that charge sheet has already been

filed in this case and petitioner is in custody since 04.02.2022 having clean antecedent.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II, Madhepura in connection with Madhepura P.S. Case No. 107 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 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.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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