

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42698 of 2022

Arising Out of PS. Case No.-399 Year-2020 Thana- BIKRAMGANJ District- Rohtas

Sanjay Singh @ Sujeet Kumar Son of Gupteshwar Singh @ Budhan Singh
Resident of Village - Mohanpur, Police Station- Karakat, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Adv.

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 30-08-2022 Let the defect, 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
Bikramganj P.S. Case No. 399 of 2020 lodged under Section
30(a) of Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, total recovery 217.80
litres foreign liquor was made from one TATA Sumo Victa Jeep.

Learned counsel for the petitioner submits that no
one was apprehended from the place of occurrence. The name of
petitioner has figured in this case by virtue of the statements of
local persons. Learned counsel for the petitioner submits that
petitioner was arrested in another case and when he was in

custody, he was also presented in this case by virtue of remand since 06.04.2022. He submits that charge sheet has already been filed in this case. He also submits that petitioner is neither the owner nor driver nor passenger of the said TATA Sumo Victa. On the point of his criminal antecedent, he submits that there are in total 3 cases pending in addition to present one in which 2 cases are of same nature and one is of different but in all cases he is on bail. Counsel for the petitioner 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 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 Special Judge Excise, Rohtas at Sasaram in connection with Bikramganj P.S. Case No. 399 of 2020, 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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