

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42056 of 2022

Arising Out of PS. Case No.-535 Year-2018 Thana- MINAPUR District- Muzaffarpur

RAJU KUMAR Son of Jai Kishun Rai, Resident of Village - Dharampur
Naya Tola, P.S.- Minapur, Distt.- Muzaffarpur. Petitioner/s
Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar, Advocate
For the Opposite Party/s : Ms.Asha Devi, 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 Minapur P.S. Case No. 535 of 2018 alleged under Sections 272 and 273 of the Indian Penal Code and Sections 30(a), 38, 41 and 48 of Bihar Prohibition and Excise Act, 2016.

As per the prosecution, total 285.120 litres of foreign liquor were alleged to be recovered from a hut situated behind the house of the petitioner.

Learned counsel for the petitioner submits that the alleged hut does not belong to the petitioner and petitioner has made escape got in this case. Learned counsel for the petitioner further submits that charge sheet has already been filed in this case and petitioner is in custody since 08.05.2022 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.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.1, Muzaffarpur in connection with Minapur P.S. Case No. 535 of 2018, 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.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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