

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42515 of 2022

Arising Out of PS. Case No.-291 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Subodh Patel @ Shobad Patel Son of Late Shyam Babu Patel, Resident of
Village - Andi Gola Kedarnath Road, P.S.- Nagar, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Choudhary, Advocate
For the Opposite Party/s : Mr.Harendra Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-08-2022 Learned counsel for the petitioner submits that due to

inadvertence, the Case No. 291 of 2020 has been wrongly typed

as 291 of 2022. He seeks permission to remove this defect.

Permission granted.

Let this defect be removed in course of the day.

Heard learned counsel for the petitioner and learned

APP for the state.

Petitioner seeks regular bail in connection with Excise

Case No. 291 of 2020, PR No. 16 of 2020 alleged under

Sections 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution, total 6.84 litres of foreign

liquor were alleged to be recovered from the courtyard of the

petitioner.

Learned counsel for the petitioner submits that it is true that recovery has been made from the courtyard of the petitioner but the said courtyard is fully open in which the stranger also used to come and go frequently. He further submits that police has remanded the petitioner in this case and petitioner is in custody since 25.06.2022 in the present case. Learned counsel for the petitioner further submits that charge sheet has already been filed in this case. On the point of his criminal antecedent, learned counsel for the petitioner submits that he is on bail in all cases. Learned 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 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 Special Judge, Excise Court No.II, Muzaffarpur in connection with Muzaffarpur Town Excise Case No. 291 of 2020, PR No. 16 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.

Speedy trial is the constitutional vision of justice. In the present case, there are 5 cases pending against the present petitioner, namely, (i) Muzaffarpur Town P.S. Case No.340 of 2018, (ii) Muzaffarpur Town P.S. Case No.806 of 2019, (iii) Muzaffarpur Excise Case No.277 of 2020, (iv) Town P.S. Case No.133 of 2022 and (v) Excise Case No. 291 of 2020.

It is directed to the District & Sessions Judge, Muzaffarpur that all the five criminal cases named above shall

run before one Excise Court with same date.

Let one copy of this order directed to be placed before
the District and Sessions Judge, Muzaffarpur for perusal and
necessary compliance.

(Dr. Anshuman, J.)

ravishankar/-

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