

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42718 of 2022

Arising Out of PS. Case No.-389 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

Ashok Ram Son of Sukhnandan Ram Resident of village - Ramkrishna
Dubiyahi, P.S.- Saraiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rita Verma, 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
Laheriasarai P.S. Case No. 389 of 2019 lodged under Sections
272, 273 of the I.P.C. read with Section 30(a) of Bihar
Prohibition and Excise Act.

As per the prosecution case, total recovery of 420.12
litres foreign liquor was made from a pick-up van. The
petitioner is the owner of the van and by virtue of the pick-up
van's registration no., he has been made accused.

Learned counsel for the petitioner submits that he is
the owner of the pick-up van. He further submits that he has

given pick-up van on rent but never instructed or said to his driver or khalasi to do such illegal activity from his van. He further submits that the petitioner is a man of clean antecedent. Counsel submits that petitioner is in custody since 19.05.2022, charge sheet has already been filed in this case.

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 II, Darbhanga in connection with Laheriasarai P.S. Case No. 389 of 2019, 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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