

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43113 of 2022

Arising Out of PS. Case No.-95 Year-2020 Thana- SIWAIPATTI District- Muzaffarpur

=====

Vinod Kumar S/O Shatrudhan Prasad Resident of Village- Neknama, P.S.-
Siwaipatti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-10-2022 Let the defect(s), 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
Siwaipatti P.S. Case No. 95 of 2020 lodged under Sections 272,
273, 420/34, 120 (B) of the I.P.C. and Section 30(a) of the Bihar
Prohibition And Excise Act, 2016.

As per the prosecution case, total recovery of 1216.08
liters of Indian Made foreign liquor alleged to be made in this
case.

Learned counsel for the petitioner submits that the
said recovery was made from a tent and the said tent does not
belong to the present petitioner. Learned counsel further submits

that petitioner's name has been figured in this case by virtue of confessional statement of one co-accused named Nandlal Prasad.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 20.04.2022 having clean antecedent. Charge sheet has already been filed in this case. Learned counsel further submits that co-accused of this case has also been granted bail by the Co-ordinate Bench of this Court vide order dated 18.07.2022 passed in Cr. Misc. 14833 of 2022.

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 Exclusive Special Excise Court No. 1, Muzaffarpur in connection with Siwaipatti P.S. Case No. 95 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 be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship 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.)

ashishsingh/-

U		T	
---	--	---	--