

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42899 of 2022

Arising Out of PS. Case No.-157 Year-2022 Thana- VAISHALI District- Vaishali

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Ashok Singh Son Of Yogendra Singh R/O Village- Rampur Horil, P.S. And District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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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 Vaishali P.S. Case No. 157 of 2022 lodged under Sections 30(a), 41(i) and 32(2) of Bihar Prohibition and Excise Act.

As per the prosecution case, total recovery 230.58 litres country made foreign liquor is the subject matter of this case. The said recovery was made from the house of accused Kundan Kumar.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Learned counsel further submits that the co-accused Kundan Kumar has

disclosed the name of the petitioner but the petitioner has not apprehended from the place of occurrence. It has been further submitted that the petitioner is in custody since 11.07.2022. Petitioner is not aware that charge sheet has been filed in this case of not. The antecedent of the petitioner is clean. It has been further submitted that the accused of this case who was apprehended from the place of occurrence, namely, Kundan Kumar has been granted bail by the Co-ordinate Bench of this Court vide order dated 20.08.2022 passed in Cr. Misc. No. 37071 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 Court of Exclusive Special Excise Court-II-cum-Additional Sessions Judge, Vaishali in connection with Vaishali P.S. Case No. 157 of 2022, 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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