

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42988 of 2022

Arising Out of PS. Case No.-97 Year-2022 Thana- MINAPUR District- Muzaffarpur

1. Sonu Kumar Son Of Late Lakhan Choudhari R/O Village- Dhurva, J.P. Market, P.S.- Dhurva, District- Ranchi, Jharkhand
2. Guddy Kumar Son Of Rajendra Lal R/O Village- Dhurva, P.S.- Dhurva, District- Ranchi, Jharkhand

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with
Minapur P.S. Case No. 97 of 2022 lodged under Sections 272,
273, 120B, 34 of the I.P.C. read with Sections 30(a), 36/41(1) of
the Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, the total recovery of
214.500 litres of English Wine is subject matter of the present
case.

Learned counsel for the petitioners submit that

petitioner no. 1 found in possession of 116.625 litres of English Wine and petitioner no. 2 was found in possession of 97.875 litres of English Wine. Learned counsel further submits that their antecedents are clean and they are in custody since 02.03.2022. Counsel further submits that the petitioners shall not involve in such type of offences later on.

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 petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-I, Muzaffarpur in connection with Minapur P.S. Case No. 97 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioners 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 petitioners.

C. The petitioners 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.)

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