

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45153 of 2022

Arising Out of PS. Case No.-1 Year-2022 Thana- BIRUPUR District- Lakhisarai

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Jinna Ram @ Jina Ram @ Jineshwar Ram Son of Late Gariban Ram Resident
of Village - Bhadausi, P.S.- Korma, District - Sheikhpura, At present resident
of village - Shekhopur Dih, P.S.- Virupur, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Nandan Prasad, Advocate

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Virupur P.S. Case No. 01 of 2022 registered for
the alleged offences under Section 30(a) of the Bihar Prohibition
and Excise Act(Amendment Act), 2018.

As per prosecution case, 12 litres of country made
liquor was made from the bushes and the local *chowkidar*
disclosed the name of the petitioner who fled away from the
spot.



Learned counsel for the petitioner submits that petitioner was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession. The petitioner is aged about 70 years. No recovery has been made from the conscious possession of this petitioner. Charge sheet has been submitted in this case and the petitioner is in custody since 25.04.2022.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that the petitioner is having criminal antecedent.

Having regard to the submission made on behalf of the parties and considering the quantity of liquor seized and further considering the fact that no recovery has been made from the conscious possession of this petitioner and considering his period of custody along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Session Judge for cum-Special Excise Judge-1st, Lakhisarai in connection with Virupur P.S. Case No. 01 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the



following conditions:

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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