

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45287 of 2022

Arising Out of PS. Case No.-279 Year-2021 Thana- BAHERA District- Darbhanga

Sudarshan Das Son Of Late Laxmi Das R/O Village- Pohaddi Ward No.-4,
P.,S.- Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-10-2022 Let the defects, if any, be removed within four weeks from today.

Heard Mr. Vinay Kumar Mishra, learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State through video conferencing.

Petitioner seeks bail in a case registered in connection with Bahera P.S. Case No. 279 of 2021 for the offences punishable under Sections 30(a), of the Bihar Prohibition & Excise Act 2016.

The police on a secret information that accused Laxaman Nayak and his associate Chandan Yadav have kept foreign liquor in deity room of Sudarshan Das, conducted raid and on search 176 cartoons containing



1561.68 liters Indian made foreign liquor was recovered.

Learned counsel for the petitioner submits that from the FIR and the confessional statement made on behalf of the petitioner, it would be evident that the petitioner has neither any concern with the illicit liquor nor he has any connection with the liquor Mafia. It is evident that the liquor belong to co-accused Laxman Nayak and Chandan Yadav, who have forcibly kept it in the deity room of the petitioner. He next submits that the petitioner having fair antecedent is in custody since 23.11.2021 and now the investigation of the crime is already completed and the charge sheet has been submitted.

On the other hand, learned counsel for the State opposed the bail application.

Regard being had to the submission made on behalf of the parties and considering the materials available on the record and also the fact that the investigation of the crime is already completed and the charge sheet has been submitted and there is no likelihood of the commencement of trial in near future, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-



(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise. Darbhanga in connection with Bahera P.S.Case No. 279 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J.)

N.K/-

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

