

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47318 of 2022

Arising Out of PS. Case No.-213 Year-2022 Thana- BYPASS District- Patna

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Aman Kumar Son Of Kapil Prasad R/O Begampur Mandai, P.S.- Bypass,
Distt.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Adv.

For the Opposite Party/s : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-11-2022 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
Bypass P.S. Case No. 213 of 2022 lodged under Sections
30(a)/37(b)(c) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total recovery 90 litres of
country made liquor alleged to be recovered from the possession
of the petitioner.

Learned counsel for the petitioner submits that
petitioner is in custody since 07.06.2022. He further submits
that there is one criminal case pending against him.

Learned counsel for the State opposes the prayer for

bail and submits that there is criminal antecedent against the petitioner.

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 Special Judge, Excise Patna City District Patna in connection with Bypass P.S. Case No. 213 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 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.

Speedy trial is the constitutional vision of justice. Admittedly, there are in total 2 criminal cases (including the present one) pending against the petitioner which belongs to the District and Session Judge Patna which are as follows:

- i. Bypass P.S. Case No. 424 of 2020.
- ii. Bypass P.S. Case No. 213 of 2022. (present case).

Let the District and Session Judge Patna is directed to do the needful so that all the cases pending against the petitioner shall run before one Special Court with one date.

Let the copy of this order is communicated to the District and Session Judge Patna for information and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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