

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47579 of 2022

Arising Out of PS. Case No.-67 Year-2022 Thana- ISUAPUR District- Saran

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Lalbabu Nat S/o Late Multan Nat, R/o village- Usari, P.S.- Isuapur, District- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Nityanand, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2022 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 through virtual mode.

The petitioner seeks regular bail in connection with
Isuapur P.S. Case No. 67 of 2022, lodged under Sections 147,
148, 149, 341, 323, 324, 332, 333, 353 of Indian Penal Code
read with Sections 30, 30(a), 45 of the Bihar Prohibition and
Excise Act.

As per prosecution case, the total recovery of 60 liters
of country made wine is the subject matter relating to the
present case.

Learned counsel for the petitioner submits that the
recovery of wine has not been made from the possession of

petitioner rather 30 liters have alleged to be recovered from the possession of 2 different accused persons each. He further submits that he has categorically narrated the circumstances in which the name of present petitioner has figured in this case in paragraph no.8 & 9 of the present petition. He also submits that Police reached in the village, then due to some hooligans, Police has filed criminal case against series of villagers and this petitioner was arrested, therefore, his name was put in the present case also. Learned counsel for the petitioner further submits that petitioner is in custody since 27.07.2022 and there is one another case pending against the petitioner, in which he is on granted anticipatory bail.

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 Additional District & Sessions Judge, 2nd -cum-1st Exclusive Special Judge, Excise, Saran at Chapra in connection with Isuapur P.S. Case No. 67 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.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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