

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48713 of 2022

Arising Out of PS. Case No.-117 Year-2022 Thana- BASOPATTI District- Madhubani

Jhansi Ram S/O Biltu Ram Resident of Village- Lauth, P.S.- Basopatti,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Adv.

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

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
Basopatti P.S. Case No. 117 of 2022 (G.R. No. 863 of 2022),
lodged under Sections 272, 273 of the I.P.C. read with Section
30(a) of Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, total recovery of 153
liters Nepali wine is the subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner was apprehended from the place of occurrence having
no criminal antecedent and he is in custody since 05.06.2022.
Counsel for the petitioner submits that he has been arrested

incorrectly.

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 Sessions Judge-II-Cum-Special Judge, Excise Act, Madhubani in connection with Basopatti P.S. Case No. 117 of 2022 (G.R. No. 863 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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