

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 50307 of 2022

Arising Out of PS. Case No.-551 Year-2021 Thana- DARIYAPUR District- Saran

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Kashi Roy S/O Shivjee Roy Resident of village- Persauna, P.S.- Parsa,
District- Saran , Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-10-2022 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
Dariyapur P.S. Case No. 551/2021 lodged under Sections
30/30(a) and 33 of the Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, total recovery of 150
liters illicit country made liquor has been made.

Learned counsel for the petitioner submits that
petitioner was not apprehended from the place of occurrence
and his name has been figured by the virtue of persons who
were apprehended. He also submits that the other accused
persons who were apprehended granted bail on 07.04.2022 in

Cr. Misc. No. 6517/2022 and on 08.04.2022 in Cr. Misc. No. 7727/2022.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 01.05.2022 having clean antecedent and charge sheet has already been filed in this case.

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 Addl. District and Sessions Judge- 2nd cum 1st Exclusive Special Judge, Excise, Saran (Chapara) in connection with Dariyapur P.S. Case No. 551/2021, 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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