

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50605 of 2022

Arising Out of PS. Case No.-162 Year-2022 Thana- DELHA District- Gaya

=====

Jay Prakash @ Jay Prakash Kumar @ J.P. Son of Dharmendra Kumar R/V-
Basubigha, P.s- Tekari, Dist- Gaya presently residing at Mohalla- Dhania
Bagicha, PS- Delha, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

=====

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
Delha P.S. Case No. 162 of 2022 lodged under Section 30(a) of
Bihar Prohibition and Excise Act.

As per the prosecution case, the total recovery of
15.375 litres of Indian made foreign liquor is alleged to be made
from the possession of the petitioner.

Learned counsel for the petitioner submits that the
alleged Seizure list prepared under Section 100 of Cr.P.C. is
completely violation of the law. He further submits that

antecedent of the petitioner is clean and he is in custody since 10.06.2022.

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 Spcl. Excise Judge 01 Gaya in connection with Delha P.S. Case No. 162 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.)

prakashmani/-

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