

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50607 of 2022

Arising Out of PS. Case No.-150 Year-2022 Thana- ROHTAS District- Rohtas

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Santosh Kumar Son Of Dadan Yadav R/O Village- Bhishra, P.S.- Amjhor,
District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Parmanand Prasad, 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
Rohtas(Amjhor) P.S. Case No. 150 of 2022 lodged under
Section 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, the total recovery relating
to the present case is 31litres of country made liquor is there.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has not
been apprehended from the place of occurrence. His name has
figured in this case by virtue of the disclosure of the name who

were apprehended from the place of occurrence. Learned counsel for the petitioner further submits that he is in custody since 03.05.2022 having 3 criminal antecedent but in all the 3 cases, he is on 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 13th A.D.J.- cum- Exclusive Special Excise Court II, Rohtas at Sasaram in connection with Rohtas (Amjhor) P.S. Case No. 150 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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