

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50800 of 2022

Arising Out of PS. Case No.-167 Year-2021 Thana- MUSAHARI District- Muzaffarpur

Sanjeet Kumar Son of Late Yugeshwar Prasad Resident of Village -
Nawanagar, P.S.- Vidupur, District - Vaishali, At present resident of Mohalla -
Tinkothiya, Near Abeda High School, P.S.- Mithanpura, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Adv.
For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-11-2022 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
Mushahari P.S. Case No. 167 of 2021 lodged under Sections
272, 273, 34 of the I.P.C. read with Sections 30(a), 36, 41 of
Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, the total recovery of
4374.360 litre of wine has been made from the DCM truck in
the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Learned

counsel submits that in the present case, the name of the petitioner has surfaced by virtue of some information obtained by the police. Learned counsel submits that he is neither owner nor driver of the truck. He further submits that petitioner is in custody since 10.06.2022. Charge sheet has already been filed. On the point of antecedent, counsel submits that there are 2 criminal cases pending against the petitioner and in both 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 Exclusive Special Judge, Excise Court No.1, Muzaffarpur in connection with Mushahari P.S. Case No. 167 of 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.)

prakashmani/-

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