

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50977 of 2022

Arising Out of PS. Case No.-6 Year-2022 Thana- AMAS District- Gaya

GUDDU SINGH BHOKTA @ GUDDU SINGH Son of Ganesh Singh
Bhokta @ Ganesh Singh R/V- Kaira Pokhar , Baghamarawa, P.S- Amas, Dist-
Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 30-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Amasi
P.S. Case No. 06 of 2022 registered for the offences punishable
under Sections 30(a) and 30(d) of the Bihar Prohibition and
Excise Amendment Act.

As per prosecution case, there is alleged recovery
of 100 liters country made liquor from field of Khajur and near
the house of present petitioner. Accused persons fled away from
the spot. It is further alleged the the field from where recovery
has been made belongs to the petitioner.



Learned counsel for the petitioner submits that petitioner is in custody since 29.07.2022. Petitioner bears no criminal antecedent. Learned counsel further submits that nothing has been recovered from the conscious possession or personal possession of the petitioner. Petitioner is not apprehended on spot. Seizure list has not been made as per law. Petitioner has no concern with the alleged recovery.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, petitioner is not apprehended on spot, argument advanced on behalf of the parties, keeping in view clean antecedent of the petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. - 2, Gaya in connection with Amas P.S. Case No. 06 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.



(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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