

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50456 of 2022

Arising Out of PS. Case No.-354 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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Balindra Prasad Son Of Bechu Prasad R/O Village- Ukhai Purab Patti, P.S.-
Town, P.S. (SARAI O.P.), District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with C-III No. 354 of 2020 registered for the alleged
offences under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

As per prosecution case, raids were conducted against
brewing of illicit country made liquor and a number of furnaces
were destroyed and total 2200 Kg of fermented *Mahua Jawa*
gud was destroyed at the spot. The name of the petitioner
transpired as an accused during investigation.



The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered either from the person or conscious possession of the petitioner. The petitioner was not apprehended from the spot. The petitioner is in custody since 08.07.2022.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and further considering the fact that no recovery has been shown from his conscious possession and further considering his period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-cum-Exclusive Special Excise Court-2, Siwan in connection with C-III No. 354 of 2020, subject to the other conditions under Section 437(3) of the Cr.P.C. and following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.



(iii) In case of absence on three consecutive dates
or in violation of the terms of the bail, the bail
bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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