

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50757 of 2022

Arising Out of PS. Case No.-319 Year-2022 Thana- NAUTAN District- West Champaran

Rohit Kumar S/o Hiralal Yadav Resident of Supriya Cinema Hall, Shivpuri
Colony, P.S.- Kalibagh O.P., District- West Champaran at Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rajesh 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
Nautan P.S. Case No. 319 of 2022 lodged under Section 30(a) of
the Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, total recovery of 30.24
liter wine and one stolen motorcycle are subject matter of the
present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is in custody since 06.06.2022 having
clean antecedent and charge sheet has already been filed in this

case. He also submits that out of total 13.45 liter of wine, petitioner is related to 8.640 liter of wine. He further submits that the stolen motorcycle belongs to Vivek Kumar, who purchased the motorcycle from some different persons, about which learned counsel for the petitioner has annexed in annexure-2 series.

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, Bettiah, West Champaran in connection with Nautan P.S. Case No. 319 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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