

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51464 of 2022

Arising Out of PS. Case No.-266 Year-2022 Thana- SIDHWALIYA District- Gopalganj

Milan Nat Son Of Ramraj Nat R/O Village- Jhahhva, P.S.- Sindhwaliya,
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baijnath Sah

For the Opposite Party/s : Mr.Parmanand Kumar

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 through virtual mode.

The petitioner seeks regular bail in connection with
Sindhwaliya P.S. Case No. 266 of 2022, lodged under Section
30(a) of the Bihar Prohibition and Excise Amendment Act,
2018.

As per prosecution case, the recovery of 90 liter of
Mahua wine is subject matter of this case.

Learned counsel for the petitioner submits that
petitioner is alleged to be apprehended from the place of
occurrence. He further submits that antecedent of petitioner is
clean and he is in custody since 22.07.2022. He simultaneously

submits that nothing was recovered from the conscious possession of petitioner, rather the said recovery was made from the sugarcane field of one Jitendra Sharma.

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 ADJ-II cum Special Excise Judge, Court No.1 Gopalganj in connection with Sindhwaliya P.S. Case No. 266 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.

With this observation, the bail application stands

allowed.

(Dr. Anshuman, J.)

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