

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51729 of 2022

Arising Out of PS. Case No.-234 Year-2022 Thana- ARA MUFFSIL District- Bhojpur

Baban Gond Son of Chote Lal Gond R/V- Murkikala, Mohammadabad, P.S-
mohammadabad, Dist- Gazipur (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP.

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 Ara
Muffasil P.S. Case No. 234 of 2022, lodged under Sections 467,
468, 471, 420 of Indian Penal Code read with Sections 30(a),
32(iii) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, the total recovery of 569.520
liters of English wine is the subject matter of present case.

Learned counsel for the petitioner submits that
petitioner is a daily wages labour and the van driver has
appointed him at the labour cost of Rs.1000/- per day. He further
submits that petitioner is completely unaware that what is loaded

in the van. He further submits that petitioner is in custody since 02.07.2022 having clean antecedent.

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.20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Bhojpur at Ara in connection with Ara Mufassil P.S. Case No. 234 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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