

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51732 of 2022

Arising Out of PS. Case No.-1 Year-2022 Thana- BIHIA District- Bhojpur

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Vira Yadav S/o Pancham Yadav R/o village- Bharasra, P.S.- Bihiya, District-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Adv.

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP.

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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
Bihiya P.S. Case No. 1 of 2022, lodged under Sections 30(a),
37(c) of the Bihar Prohibition and Excise Act.

As per prosecution case, the total recovery which
alleged to be made in the present case is 37 liter of *desi mahua*
wine.

Learned counsel for the petitioner submits that there
were series of persons from whose possession certain recovery
were made but from the conscious possession of petitioner
nothing was recovered. He further submits that petitioner was

not apprehended from the place of occurrence rather he was arrested later on. He further submits that petitioner is in custody since 21.07.2022 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.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Bhojpur Ara in connection with Bihiya P.S. Case No. 1 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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