

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51602 of 2022

Arising Out of PS. Case No.-301 Year-2022 Thana- BHORE District- Gopalganj

Rajesh Kumar @ Raju Ray Son Of Late Jagdish Rai R/O Pahleza Shahpur
Diyara, P.S.- Sonpur, District- Saran At Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Parmanand 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
Bhore P.S. Case No. 301 of 2022 lodged under Section 30(a) of
Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, the total recovery of 432
litre foreign wine from Scorpio vehicle is the subject matter of
the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Learned
counsel submits that the name of the present petitioner has
figured in this case by virtue of confessional statement of the

co-accused. Learned counsel submits that he is in custody since 29.06.2022 having 4 criminal antecedent in which he is persuading for bail. Learned counsel further submits that the other co-accused persons have been granted bail by the Co-ordinate Bench of this Court vide Cr. Misc. No. 50552 of 2022.

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 Sessions Judge-II-cum- Special Judge Excise-I, Gopalganj in connection with Bhore P.S. Case No. 301 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.)

prakashmani/-

U		T	
---	--	---	--