

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51881 of 2022

Arising Out of PS. Case No.-167 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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Khiran Sah Son Of Kalicharan Sah R/O Village- Ulao Ward No.-03, P.S.-
Muffasil (Singhoul O.P.), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.
For the Opposite Party/s : Mr. Murli Dhar, 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
Excise P.S. Case No. 167 of 2022, lodged under Section 30(a) of
the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, the total recovery of 549
liters of English wine has been made in the present case.

Learned counsel for the petitioner submits that the
Police has made a raid at the place of occurrence on the basis of
secret informant. He further submits that the said wine was
recovered from the premises of one Braj Bhushan Deva @

Nandu Deva. He also submits that Police has found 2 persons to be there, name of petitioner has figured in this case only and only due to the reason that he was the care taker of said premises but completely unaware that some criminals are using said premises for illegal purpose. Learned counsel for the petitioner further submits that antecedent of petitioner is clean and he is in custody since 16.07.2022.

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 Exclusive Special Excise Judge-II, Begusarai in connection with Excise P.S. Case No. 167 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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