

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51725 of 2022

Arising Out of PS. Case No.-62 Year-2022 Thana- PIPRASI District- West Champaran

Narsingh Kurmi Son Of Late Ramjit Kurmi Village Pandey Tola Chhapra,
P.S. Piprasi, Dist. West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No.1, Adv.

For the Opposite Party/s : Mr. Raj Ballabh Singh, 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
Piprasi P.S. Case No. 62 of 2022, lodged under Sections 30(a) of
the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, the total recovery takes place
in this case is 4 liters of desi liquor.

Learned counsel for the petitioner submits that 4 liter
desi wine is alleged to be recovered from the possession of
petitioner. He further submits that petitioner is in custody since
25.07.2022. He also submits that in future the petitioner shall not
commit such mistake. On the point of criminal antecedent,

learned counsel for the petitioner submits that there are two criminal cases pending against him in which he is on bail in both the cases and both cases belongs to Excise Act.

Learned counsel for the State opposes the prayer for bail and submits that petitioner has criminal antecedent.

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 Special Judge, Excise, Bagaha, West Champaran in connection with Piprasi P.S. Case No. 62 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.

Speedy trial is the constitutional vision of justice. From the records, it transpires that there are 3 criminal cases pending against the present petitioner and all cases are of Excise Act which belongs to District and Sessions Judge, West Champaran. The chart of all those cases are as follows :-

1. Piprasi P.S. Case No. 60/2018.
2. Piprasi P.S. Case No. 23/2020.
3. Piprasi P.S. Case No. 62/2022.

The District and Sessions Judge, West Champaran is directed to do the needful so that all cases shall run before one Excise Court with one date.

Let a copy of this order is communicated to District and Sessions Judge, West Champaran for information and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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