

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52094 of 2022

Arising Out of PS. Case No.-83 Year-2022 Thana- SIKTA District- West Champaran

Pawan Kumar Son Of Late Ramashray Harijan R/O Village- Majhauiliya, P.S.-
Majhauiliya, District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv.

For the Opposite Party/s : Mr. Sharda Kumari, 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
Sikta P.S. Case No. 83 of 2022 lodged under Sections 272, 273
of the I.P.C. read with Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

As per the prosecution case, the total recovery of wine
used to take place from 2 motorcycles. From one motorcycle,
44.700 litres and from the second motorcycle, 44.100 litres
Nepali *desi* wine were recovered.

Learned counsel for the petitioner submits that he is
related to motorcycle from which 44.700 litres Nepali *desi* wine

was recovered. He submits that there were 2 accused from whose possession 44.700 litres Nepali *desi* wine was recovered. Petitioner is one of them. He submits that the antecedent of the petitioner is clean and he is in custody since 30.05.2022. He further submits that in future, he shall not involve in such type of activity and ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

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 Judge, Excise, Bettiah, District – West Champaran in connection with Sikta P.S. Case No. 83 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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