

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52722 of 2022

Arising Out of PS. Case No.-118 Year-2020 Thana- BANGARA District- Samastipur

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SANJEET KUMAR YADAV @ SANJEET RAY S/o Randhar Ray, R/V
Chakmehsi Prushotampur, P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-10-2022 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.

The petitioner seeks regular bail in connection with
Bangara P.S. Case No. 118 of 2020 lodged under Sections 30(a)
and 41(1) of Bihar Prohibition and Excise Act, 2016 and
Sections 272, 273, 414 and 467 of the Indian Penal Code.

As per the prosecution, total recovery of 1332 liters of
foreign liquor has been made from a truck.

Learned counsel for the petitioner submits that
petitioner has not been apprehended from the place of
occurrence. He further submits that he is neither owner nor
driver nor khalasi of the truck. He further submits that his name

has figured in this case by virtue of the confessional statement of the driver who disclosed that the said wine has to be delivered at the different places two different persons and petitioner is one of the them. Learned counsel further submits that petitioner is in custody since 15.07.2022 and there are 3 criminal cases pending against him of same nature.

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

In the present facts and circumstances of the 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 Excise Court-1, Samastipur in connection with Bangara P.S. Case No. 118 of 2020/Reg. No. 1342 of 2020, T.R. No. 1342 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 an 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. Admittedly, there are in total 3 criminal cases of Muzaffarpur and one of Samastipur is pending against the present petitioner including present one, which are as follows :-

Muzaffarpur District	Samastipur District
1.Muniyari P.S. Case No. 321 of 2021	Bangara P.S. Case No. 118 of 2020
2.Muniyari P.S. Case No. 242 of 2021	
3.Muniyari P.S. Case No.409 of 2021	

Let the District and Sessions Judge, Samastipur/Muzaffarpur is directed to do the needful, so that all the cases pending against the petitioner shall run before one Special Court with same date in respective districts.

Let the copy of this order be communicated to the

District and Sessions Judge, Samastipur/Muzaffarpur for
information and necessary compliance.

With these observations, the bail application stands
allowed.

(Dr. Anshuman, J.)

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