

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52930 of 2022

Arising Out of PS. Case No.-1 Year-2022 Thana- BARHIYA District- Lakhisarai

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Gaurishankar Singh @ Gaurishankar Kumar S/o Krishanandan Singh @
Krishnnandan singh Resident of Village- Jaitpur, P.S.- Barahiya, District-
Lakhisarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. A.G

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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
Barahiya P.S. Case No. 01 of 2022 lodged under Section 30(a)
of Bihar Prohibition and Excise (Amendment) Act, 2018.

As per the prosecution case, total recovery of 15 litre
foreign liquor and 20 litre *Mahua* has been made, which is the
subject matter of the present case.

Learned counsel for the petitioner submits that as per
the seizure list, the said recovery has been made from the
Government land situated northern side of one Krishanandan

Singh. Counsel for the petitioner submits that petitioner has not apprehended from the place of occurrence rather his name was disclosed by his enemy co-villager. Counsel further submits that petitioner is in custody since 17.03.2022. Counsel further submits that there are 3 criminal antecedents of the petitioner and he is on bail in all the 3 cases. Charge sheet has already been filed in this case.

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 Additional District & Sessions Judge-IV-Cum-Exclusive Special Excise Judge, Court No.-1, Lakhisarai in connection with Barahiya P.S. Case No. 01 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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