

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52113 of 2022

Arising Out of PS. Case No.-338 Year-2022 Thana- AGAMKUAN District- Patna

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Raushan Kumar Singh Son Of Surendra Prasad Singh, Resident Of Village-
Tati Silwai Adarsh Nagar, Police Station- Namkum, District- Ranchi
(jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr.Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-11-2022 Let the defect, 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
Special Case No. 218 of 2022 arising out of Agamkuan P.S.
Case No.338 of 2022 lodged under Sections 30(a), 32(2), 38(1)
(2) and 41(2) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, total recovery of 175.875
liter of foreign wine is the subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that the name of the petitioner has come on the

confessional statement of the co-accused and petitioner has not been apprehended from the place of occurrence. He further submits that petitioner is in custody since 13.07.2022 and charge sheet has already been filed. He further submits that there are 3 criminal antecedents of the petitioner in which he is on bail in 2 cases and rest in one case, he is persuading for bail.

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, Patna City, Patna in connection with Agamkuan P.S. Case No. 338 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.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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