

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52078 of 2022

Arising Out of PS. Case No.-287 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

Amaresh Nat @ Amaresh Kumar @ Langara Son Of Late Nanda Nat Village
Bishrampur , Nat Tola , Ps Sasaram (M) , Dist. Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Adv.

For the Opposite Party/s : Mr. Nityanand, 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
Sasaram (Muffasil) P.S. Case No. 287 of 2019 lodged under
Section 30(a) of Bihar Prohibition and Excise Amendment Act,
2018.

As per the prosecution case, the recovery of 172.8
litres foreign liquor was made from Samudayik Bhawan
Bishrampur.

Learned counsel for the petitioner submits that
recovery has not been made from his possession. He also
submits that his name has figured in this case by secret

information obtained by the police. He further submits that he is in custody since 31.05.2022. There are 3 criminal cases pending against him but he is on bail in only one case, in rest 2 cases he is persuading for bail. Charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that petitioner is a man of 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 Exclusive Special Excise Court No. 2 cum Additional District and Sessions Judge, Rohtas at Sasaram in connection with Sasaram (Muffasil) P.S. Case No. 287 of 2019, 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. It transpires from record that there are in total 4 criminal cases (including the present one) pending against the petitioner all relating to Bihar Prohibition and Excise Act which belongs to the District and Session Judge Rohtas at Sasaram which are as follows:

- i. Excise Case No. 134 of 2020 lodged under Section 30(a) of Bihar Prohibition and Excise Act, 2018.
- ii. Excise Case No. 282 of 2018 lodged under Section 30(a) of Bihar Prohibition and Excise Act, 2016.
- iii. Sasaram (M) P.S. Case No. 1461 of 2017 lodged under Section 30(a) of Bihar Prohibition and Excise Act, 2016.
- iv. Sasaram (Muffasil) P.S. Case No. 287 of 2019

lodged under Section 30(a) of Bihar Prohibition and
Excise Amendment Act, 2018. (present case).

Let the District and Session Judge Rohtas at Sasaram
is directed to do the needful so that all criminal cases which are
relating to Bihar Prohibition and Excise Act shall run before one
Special Court with same date.

Let the copy of this order is communicated to the
District and Session Judge Rohtas at Sasaram for information
and necessary compliance.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

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