

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52451 of 2022**

Arising Out of PS. Case No.-21 Year-2022 Thana- BOCHAHAN District- Muzaffarpur

Jitendra Rai @ Jitendra Kumar Son of Late Nathuni Rai Resident of Village -  
Uttari Karanpur, P.S.- Bochahan, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ratneshwar Prasad, Adv.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

**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  
Bochahan P.S. Case No. 21 of 2022 lodged under Sections 272,  
273 of the I.P.C. read with Section 30(a) of Bihar Prohibition of  
Excise Act.

As per the prosecution case, the total recovery of 343  
litres of wine has alleged to be made from Bolero vehicle.

Learned counsel for the petitioner submits that he has  
not been apprehended from the place of occurrence. He further  
submits that his name has figured in this case by virtue of the  
secret information. He submits that petitioner is in custody since

18.07.2022 having one criminal antecedent in which he is on bail. He also submits that the said criminal antecedent belongs to Excise Act.

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 Court No. 1, Muzaffarpur in connection with Bochahan P.S. Case No. 21 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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