

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52640 of 2022

Arising Out of PS. Case No.-69 Year-2021 Thana- KARAKAT District- Rohtas

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Dhiraj Kumar Son of Suryadev Saw R/o Village And P.S.- Chattarpur,
District- Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aman Vishal, Adv.

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 28-11-2022 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.

The petitioner seeks regular bail in connection with
Karakat P.S. Case No. 69 of 2021, lodged under Sections 30(a),
30(c), 33, 36 and 38 of Bihar Prohibition and Excise
(Amendment) Act, 2018.

As per the prosecution case, the recovery of 2000 liter
of crude spirit in 50 gallons and 500 empty bottles of *Crazy*
Romio Whiskey are said to be made from the vehicle.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He also
submits that the name of the petitioner has been figured in this

case by virtue of owner of the said vehicle. Learned counsel further submits that there is one criminal antecedent against the petitioner in which he is persuading for bail. Learned counsel also submits that the said petitioner has been granted anticipatory bail by the Co-ordinate Bench of this Court on 25.02.2022 passed in Cr. Misc. No. 53137 of 2021 but due to poor financial condition, he could not avail the remedy of the said order.

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 Sessions Judge 2nd-cum-Special Judge Excise-I, Rohtas at Sasaram (Bihar) in connection with Karakat P.S. Case No. 69 of 2021, 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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