

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53770 of 2022

Arising Out of PS. Case No.-242 Year-2022 Thana- KHAJEKALA District- Patna

=====

Baiju Kumar S/O Rajballi Ray @ Raj Balli Ray Resident of village- Shish Mahal, Hamam Par, P.S- Khajekalan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-10-2022 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
Khajekalan P.S. Case No. 242 of 2022 lodged under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

As per the prosecution case, the total recovery of 120
litres of *desi* wine was alleged to be made in this case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. The alleged
recovery was not made from his possession rather it has been
recovered at abandon place. He further submits that petitioner is

in custody since 08.08.2022, charge sheet has already been filed in this case and petitioner has one criminal antecedent in which he is on bail.

Learned counsel for the State opposes the prayer for bail and submits that petitioner has 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 Special Judge Excise, Patna City in connection with Khajekalan P.S. Case No. 242 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.)

sadique/-

U		T	
---	--	---	--