

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53515 of 2022

Arising Out of PS. Case No.-253 Year-2022 Thana- RAGHOPUR District- Supaul

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Amit Kumar @ Mukesh Mandal S/o Late Shiv Narayan Mandal @ Surya Narayan Mandal, Resident of Village- Piprahi, Ward No.-14, P.S.- Raghapur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-10-2022 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 Raghapur P.S. Case No. 253 of 2022 lodged under Section 30(a) of Bihar Prohibition and Excise Act.

As per prosecution case, the total recovery of 138 liter of Nepali wine is alleged to be recovered from the back portion of the house of the petitioner and it was kept in bush.

Learned counsel for the petitioner submits that there is one criminal antecedent against the petitioner in which he is on bail. He further submits that petitioner is in custody since

28.06.2022 and charge sheet has already been filed in this case.

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 Court No.2, Supaul in connection with Raghopur P.S. Case No. 253 of 2022, Sessions Trial No. 578 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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