

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53217 of 2022

Arising Out of PS. Case No.-417 Year-2021 Thana- BARH District- Patna

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Mukesh Kumar Son of Shivvalak Yadav @ Shibalak Yadav @ Shivilak Prasad
Yadav Resident of Village Talimpur, Gulab Bagh, (Laheria Pokhar), Police
Station - Barh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Adv.

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 26-11-2022 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 through virtual mode.

The petitioner seeks regular bail in connection with
Barh P.S. Case No. 417 of 2021 lodged under Section 30(a) of
the Bihar Prohibition and Excise (Amend.) Act, 2018.

As per the prosecution case, total recovery of 182 liter
bear is subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is in custody since 20.08.2022 having 6
criminal cases pending against him, in which he is on bail in all

the cases. Charge sheet has already been filed in this case. He submits that petitioner's name has been figured in this case by virtue of disclosure by co-villagers. Learned counsel submits that it is a case in which the address of the petitioner is different from that of his residential address.

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 Special Judge Excise, Barh, Patna in connection with Barh P.S. Case No. 417 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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