

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 53257 of 2022

Arising Out of PS. Case No.-219 Year-2022 Thana- ARA MUFFSIL District- Bhojpur

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Golu Kumar Son of Late Sukan Yadav Resident of Mohalla- Shital Tola, P.S-
Ara Town, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar, Adv.

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

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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.

The petitioner seeks regular bail in connection with
Ara Mufasil Dhobaha O.P. P.S. Case No. 219 of 2022 lodged
under Sections 30(a) and 32 (III) of Bihar Prohibition and
Excise Amendment Act, 2018.

As per the prosecution case, total recovery
of 173.520 liters of english wine has been made in 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 08.07.2022 having

clean antecedent. Charge sheet has already been filed in this case. Learned counsel for the petitioner submits that petitioner is alleged to be chased by the police and arrested but recovery was not made from his possession.

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 Excise Court No. 1st, Bhojpur, Ara in connection with Ara Mufasil Dhobaha O.P. P.S. Case No. 219 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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