

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53755 of 2022

Arising Out of PS. Case No.-76 Year-2022 Thana- SUPPI District- Sitamarhi

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Bipin Patel @ Vipin Patel Son of Sitaram Patel R/o Village - Harpur Kala,
P.S.- Mejorganj, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md. Aslam Ansari, 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 through virtual mode.

The petitioner seeks regular bail in connection with
Suppi P.S. Case No. 76 of 2022 lodged under Section 30(a) of
the Bihar Prohibition and Excise Act.

As per the prosecution case, the total recovery of 234
litres of Nepali Saufi wine has been made in this case.

Learned counsel for the petitioner submits that the
recovery has not been made from his possession. He has been
identified in this case by local *chaukidar*. Counsel for the
petitioner submits that there is one criminal case pending
against him in which he is on bail. Counsel further submits that

petitioner is in custody since 16.03.2022, charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that there is criminal antecedent of the petitioner.

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-I, Sitamarhi in connection with Suppi P.S. Case No. 76 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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