

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55059 of 2022

Arising Out of PS. Case No.-141 Year-2022 Thana- SAHARGHAT District- Madhubani

Raju Kumar Ram Son of Late Ram Shrest Ram Resident of Village -
Saharghat, P.S.- Saharghat, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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.

The petitioner seeks regular bail in connection with
Saharghat P.S. Case No. 141 of 2022 corresponding to G.R.
No.1174 of 2022 lodged under Sections 272, 273, 34 of the
I.P.C. read with Section 30(a) of Bihar Prohibition and Excise
Act.

As per the prosecution case, the total recovery of 90
litre Nepali wine is the subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Learned
counsel submits that petitioner has been doing the work of

labour and recovery has been made from scooty. Learned counsel further submits that under conspiracy, his name has figured in this case. Learned counsel further submits that petitioner is in custody since 13.07.2022 and charge sheet has already been filed in this case. Learned counsel further submits that there is one criminal case pending against him in which he is on bail.

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 Addl. Sessions Judge-II, cum Special Judge, Excise Act, Madhubani in connection with Saharghat P.S. Case No. 141 of 2022 corresponding to G.R. No.1174 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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