

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65079 of 2021**

Arising Out of PS. Case No.-594 Year-2021 Thana- JAHANABAD District- Jehanabad

ANUJ PRASAD Son of Ram Kishun Mahto @ Kishun Prasad Resident of
Village - Babhana, Police Station - Jehanabad, District - Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-05-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Excise Case No. 822 of 2021, arising out of Jehanabad P.S. Case
No. 594 of 2021, for the offence punishable under Section 30(a)
Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution story in brief is that a raid was
conducted after receiving secret information that at Babhna
Kachara Godown trade of liquor is being conducted from the
said godown. The alleged godown is under jurisdiction of Nagar
Nigam, Jehanabad where altogether 45 litres of Mahua wine
was recovered.



Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that nothing has been recovered from the physical possession of the petitioner. He further submits that the alleged recovery has been made from Nagar Nigam, Jehanabad, which falls under the jurisdiction of Jehanabad municipality. The petitioner has got no criminal antecedent and he is in custody since 19.09.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, without going into the merits of the case taking into consideration the period of custody undergone by the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 30,000/- (Rs. Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge (Excise), Jehanabad in connection with Excise Case No. 822 of 2021, arising out of Jehanabad P.S. Case No. 594 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court



concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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