

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54452 of 2022

Arising Out of PS. Case No.-257 Year-2022 Thana- NAUTAN District- West Champaran

=====

Vinay Kumar S/O Sri Kamaldeo Yadav, Resident Of Village - Bhediharwa,
P.S.- Nautan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 25-11-2022 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
Nautan P.S. Case No. 257 of 2022, lodged under Section 414
of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

As per prosecution case, total recovery of 18 liter of
country made liquor has been made, which 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 the said motorcycle on which the country made

liquor was recovered, does not belong to the petitioner and police has arrested him under deep rooted conspiracy and seizure is also in complete violation of Section 100 of the Cr.P.C. He further submits that petitioner is in custody since 09.05.2022 and charge-sheet has already been filed in the present case. He also submits that petitioner has one criminal antecedent in which he is on bail.

Learned A.P.P. 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 Judge, Excise, West Champaran at Bettiah in connection with Nautan P.S. Case No. 257 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, his bail shall be cancelled.

B. One of the bailors shall be close relative who shall

file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing 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.)

ravishankar/-

U		T	
---	--	---	--