

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55070 of 2022

Arising Out of PS. Case No.-12 Year-2022 Thana- GAURICHAK District- Patna

Surendra Rai @ Badshah Son of Late Balo Rai R/V- Gaurichak, P.S-
Gaurichak, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 02-12-2022 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
Gaurichak P.S. Case No. 12 of 2022, lodged under Sections
30(a), 32(3) of the Bihar Prohibition and Excise Act and Section
20(b)(ii)(A) of N.D.P.S. Act and Sections 307, 353, 337, 338
and 504 of the Indian Penal Code.

As per the prosecution case, the informant police raid
the house of the petitioner then seizure of 110 liter of country-
made mahua wine and 10.50 liter of foreign liquor and 75 gm
ganja were made from the house of the petitioner.

Learned counsel for the petitioner submits that

petitioner has not been apprehended from the house rather he was arrested upon chase. Learned counsel also submits that there is a gross violation in preparation of seizure list and he is in custody since 08.01.2022. Learned counsel further submits that there are 5 criminal cases pending against the petitioner and in some cases he is persuading for bail and in some cases he is on bail. Learned counsel also submits that the other co-accused person has already been granted bail by the Co-ordinate Bench of this Court vide order dated 06.06.2022 passed in Cr. Misc. No. 19446 of 2022.

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 Special Judge, Excise, Patna City, District Patna in connection with Gaurichak P.S. Case No. 12 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 an 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)

ritik/-

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