

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55369 of 2022

Arising Out of PS. Case No.-127 Year-2022 Thana- MEHANDIGANJ District- Patna

Ashok Kumar @ Belura S/O Late Basudeo Mahto, Resident of Village-Murtujiganj, P.S- Mehandiganj, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Adv.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, 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 Mehandiganj P.S. Case No. 127 of 2022, lodged under Sections 30(a) of Bihar Prohibition and Excise Act, 2018.

As per prosecution case, the total recovery of 25 liter of mahua wine 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 petitioner is in custody since 20.08.2022, there are 4 criminal cases pending against the petitioner, in which he is on

bail in all the cases and charge-sheet has already been filed in this case.

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, Patna in connection with Mehandiganj P.S. Case No. 127 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.)

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