

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55230 of 2022

Arising Out of PS. Case No.-361 Year-2022 Thana- KUDHNI District- Muzaffarpur

Nand Lal Kumar @ Suraj Son of Jaylal Ray Resident of Village- Khalik
Nagar, Gaurihar, P.S.- Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-10-2022 Let the defect(s), as pointed out by the office,

be removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State in virtual court proceeding.

The petitioner seeks bail in connection with
Kudhani P.S. Case No. 361 of 2022, registered for the
offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2018.

As per prosecution case, there is alleged
recovery of 590.00 litres of illicit foreign liquor from the
place of occurrence and petitioner is apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 09.08.2022 and bears criminal
antecedent of two cases. He further submits that petitioner



has no concern with the alleged recovered wine. Nothing has been recovered from the conscious possession of the petitioner. Petitioner is quite innocent and falsely implicated in the case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge(Excise) Court No. II, Muzaffarpur in connection with Kudhani P.S. Case No. 361 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground



for cancellation of bail by the learned Trial court itself.

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

(Alok Kumar Pandey, J)

vashudha/-

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