

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56060 of 2022

Arising Out of PS. Case No.-297 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

Aman Singh S/O Jitendra Singh Resident of Village- Navner, P.S.- Obra,
District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-12-2022 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.

The petitioner seeks regular bail in connection with
Mohania P.S. Case No. 297 of 2022 lodged under Section 414 of
the I.P.C. read with Section 30A/41(i) of Bihar Prohibition and
Excise (Amendment) Act, 2018.

As per the prosecution case, total recovery of 202.5
liter of foreign liquor has been made, which is subject matter of
the present case.

Learned counsel for the petitioner submits that the
said recovery was made from Bolero Car. Learned counsel
specifically mentioned in Paragraph 7 that he was a passenger

who paid fare to the driver and he was going to Sasaram and was completely unaware that wine was loaded on the said car. He also submits that there is one criminal case pending against the petitioner in which he is on bail and charge-sheet has already been filed in this case.

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 Court of Special Judge (Excise)-II, Kaimur at Bhabua in connection with Mohania P.S. Case No. 297 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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