

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55614 of 2022

Arising Out of PS. Case No.-35 Year-2022 Thana- HARINMAR District- Munger

Bulbul Mandal Son of Moti Mandal Resident of Goraiya Bathan, P.S.-
Gogari, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Verma, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, 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
Harinmar P.S. Case No. 35 of 2022 lodged under Section 30(a)
of the Bihar Prohibition and Excise Amendment Act, 2018.

As per the prosecution case, total recovery of 30 liter
of country-made wine along with utensils which were used for
preparing the said *desi* wine have been made, which is the
subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that the said liquor were recovered from *basa* of the accused and

from the possession of the petitioner. He further submits that petitioner is in custody since 26.07.2022 having one criminal case pending against him, in which he is persuading for bail. 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 Exclusive Special Court Excise-I, Munger in connection with Harinmar P.S. Case No. 35 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 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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