

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57146 of 2022

Arising Out of PS. Case No.-37 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

Tamatar Lal @ Tamatar Choudhary @ Matar Choudhary Son of Late Vijendra Choudhary Resident of Village - Wazirganj, P.S.- Sasaram (Muffasil), District - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, 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 Sasaram (Muffasil) P.S. Case No. 37 of 2019 lodged under Section 30(a) of the Bihar Prohibition and Excise Act, 2018 and Section 414 of I.P.C.

As per the prosecution case, total recovery of 311.040 liter of foreign 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 17.06.2022 having 2 criminal cases pending against him, in which he is on bail in 1 case and in another case, 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 Judge Excise, Court-2 - cum - Additional District and Sessions Judge, Rohtas at Sasaram in connection with Sasaram (Muffasil) P.S. Case No. 37 of 2019, 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.)

ashishsingh/-

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