

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59875 of 2022

Arising Out of PS. Case No.-97 Year-2022 Thana- KAJRA District- Lakhisarai

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Dukhharan Bind, Son of Late Ratan Bind, Resident of Village- Lakhana, P.S.-
Kajra, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

In the present case, the petitioner seeks bail in connection with Kajra P.S. Case No. 97 of 2022 registered for the alleged offences under Section 30 (a) of the Bihar Prohibition and Excise Act.

As per prosecution case, police received secret information about the petitioner trading in illicit liquor and keeping the same at his house. A raid was conducted and two co-accused persons were apprehended from the house. The petitioner fled away from the spot and recovery of 60 liters of country made *Mahua* liquor was made from the house of the petitioner.

The learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case as he was not apprehended from the spot. Nothing incriminating has been recovered from his conscious possession. He has nothing to do with the alleged occurrence. The petitioner is in custody since 03.08.2022 and is having clean antecedent. The charge sheet has been submitted.

The learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made hereinabove and considering the fact that the petitioner was not apprehended from the spot and further considering the period of custody of the petitioner along with the submission of charge sheet and clean antecedent, he is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V-cum-Exclusive Special Court-2, Excise Act, Lakhisarai in connection with Kajra P.S. Case No. 97 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each



and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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