

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57369 of 2022

Arising Out of PS. Case No.-200 Year-2019 Thana- AGAMKUAN District- Patna

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Sanyog Kumar Son of Surendra Mahato Resident of Village - Jakariyapur,
Chhoti Pahadi, P.S.- Agamkuan, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv.

For the Opposite Party/s : Mr. Asha Kumari, APP

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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
Agamkuan P.S. Case No. 200 of 2019 lodged under Sections
272, 273, 290 of the I.P.C. read with Section 30(a) of Bihar
Prohibition and Excise Amendment Act, 2016.

As per the prosecution case, the total recovery of 120
litre wine has 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. Learned
counsel for the petitioner submits that part recovery was made

from the house of Shiv Mahto and all the persons were alleged to be fled away from the said place but the name of all the persons were subsequently disclosed by the neighbourers. Counsel submits that petitioner is in custody since 10.06.2022 and charge sheet has already been filed in this case. Counsel submits that there is one criminal antecedent of the petitioner in which he is on bail.

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 Special Judge, Excise, Patna City in connection with Agamkuan P.S. Case No. 200 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.)

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