

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57043 of 2022

Arising Out of PS. Case No.-374 Year-2020 Thana- MINAPUR District- Muzaffarpur

Umesh Rai Son of Late Ramashish Rai @ Late Ashish Rai Resident of
Village - Madhuban, P.S.- Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Adv.

For the Opposite Party/s : Mr. Madan Kumar, 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
Minapur (Panapur O.P.) P.S. Case No. 374 of 2020 lodged under
Sections 272/273/34 of the I.P.C. and Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

As per the prosecution case, total recovery of 190.01
liter of 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 29.08.2022 having 3

criminal cases pending against him, in which he is on bail in 2 cases and in 1 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 Excise, Court-1, Muzaffarpur in connection with Minapur (Panapur O.P.) P.S. Case No. 374 of 2020, 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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