

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57340 of 2022

Arising Out of PS. Case No.-171 Year-2022 Thana- DARIYAPUR District- Saran

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Anil Rai @ Ali Son of Rajeshwar Ray Resident of Village- Chak Jalal, P.S.-
Dariyapur, District- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Dariyapur P.S. Case No. 171 of 2022 lodged under Sections 30,
30 (a), 30 (b), 33, 41 of the Bihar Prohibition and Excise Act,
2016.

As per the prosecution case, the total recovery of 450
liter country-made liquor and with 5 motorcycles have been
made along with 13 persons apprehended persons, 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 petitioner was neither apprehended from the place of occurrence nor anything was recovered from his possession. He further submits that police shown the petitioner as a persons who fled away from the spot. He also submits that petitioner is in custody since 17.08.2022 having 1 case pending against him in which he is on 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 Additional District & Sessions Judge-2nd-cum-1st Exclusive Special Judge, Excise, Saran at Chapra in connection with Dariyapur P.S. Case No. 171 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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