

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70866 of 2021

Arising Out of PS. Case No.-476 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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SAROJ KUMAR S/o Sarfalal Mahato Resident of Village - Mejarganj P.S. -
Majorganj, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-05-2022 Heard learned counsel for the parties.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with C2 Case No. 476 of 2021 for the offences registered under
Sections 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2018.

As per the FIR, the SSB team intercepted some
people, who were coming from Nepal. On seeing the police
team, some of the accused persons managed to escape but this
petitioner was arrested and it is alleged that altogether 216 liters
of Nepali Saufi was recovered/seized.

Learned counsel for the petitioner submits that for the



said alleged offence, he is in jail since 09.10.2021 (as stated in paragraph-10 of the bail application) and he has no criminal antecedent.

Considering the fact that the petitioner has no criminal antecedent, is in jail since 09.10.2021 as also the fact that charge sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned Additional District and Sessions Judge 2nd cum Special Judge (Excise), Sitamarhi in connection with C2 Case No. 476 of 2021, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;



(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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