

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71699 of 2021

Arising Out of PS. Case No.-646 Year-2021 Thana- KANKARBAG District- Patna

Sanjit Kumar, Son of Munna Prasad, R/o vill.- Gyan Babu Chowk, P.S.-
Nagar, Motihari, Distt.- East Champaran, At present Near Sai Netralya,
Jhoparpatti, P.S.- Kankarbagh, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Mrs. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 29-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Special Case No. 4371 of 2021 arising out of Kankarbagh P.S. Case No. 646 of 2021 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Allegedly, from the hut of this petitioner, total 32 litres of country made chulai liquor was recovered. It is stated that the petitioner used to supply the liquor.



The learned counsel for the petitioner submits that nothing incriminating has been recovered from this petitioner and the petitioner is a poor labourer. The petitioner is in custody since 18.07.2021 and the charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the recovery has been made from the hut of this petitioner and he is a habitual offender and four cases of similar nature has been registered against him.

Having regard to the submissions made hereinabove and considering the fact that the charge-sheet has been submitted in this case and the petitioner is in custody since 18.07.2021, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court of Special Judge, Excise, Patna in connection with Special Case No. 4371 of 2021 arising out of Kankarbagh P.S. Case No. 646 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already



framed.

(ii) One of the bailors will be the deponent, who has sworn the affidavit.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) 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)

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