

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71725 of 2021

Arising Out of PS. Case No.-483 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Niranjan Das Son of Siri Das Resident of Village - Gaur, Ward No. 10, Police
Station - Gaur, District - Rauhat, At Present R/V - Bhavadepur Gote, Ward
No. 12, P.s. - Riga, District - Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate
Smt. Divya Bharti, Advocate
For the Opposite Party/s : Mrs.Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-05-2022 Heard Mr. Pushpendra Kumar Singh, learned
counsel for the petitioner and Mrs. Sucheta Yadav, learned APP
appearing on behalf of the State.

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

The petitioner is in custody in connection with
Complaint Case No. C-2/483 of 2021 registered for the offence
under section 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation in the FIR is that the informant
along with police officials intercepted the accused coming from
Nepal side. Upon seeing the police while the other accused
managed to escape but this petitioner was apprehended and it is



alleged that altogether 189 liters of Nepali Saufi Wine was/were recovered/seized.

Considering the fact that the petitioner is in custody since 13.10.2021 (as stated in para 16 of the bail application) and he has no criminal antecedent, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge Excise Act, Sitamarhi, in connection with Complaint Case No. C-2/483 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members 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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