

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.353 of 2022

Arising Out of PS. Case No.-98 Year-2021 Thana- PUSA District- Samastipur

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Gaurav Kumar Son Of Madan Prasad Thakur Resident Of Village- Bhuskaul
Harpur, P.S. Pusa, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

2 20-05-2022 The applicant is accused in Crime No. 98 of 2021 registered with Pusa Police Station for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act. By this application he is seeking his release on bail during pendency of the trial.

The applicant is given out of turn hearing on account of serious Kidney ailment of his sister.

Heard the learned counsel appearing for the applicant/accused as well as learned Additional Public Prosecutor appearing for the State.

According to the prosecution case, police received information that the applicant is dealing in illicit liquor and has staked that liquor in the abandoned house of his uncle. That is how the spot came to be raided. The applicant was



found on the spot. He was arrested. Total 352.300 liters illicit liquor was seized from that spot.

The investigation of the subject crime is over. The applicant is having two criminal antecedents. He has already undergone pretrial detention from 10.10.2021. Hence, his further pretrial detention is not warranted and, therefore, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No.98 of 2021 registered with Pusa Police Station be released on bail on executing P.R. bond of Rs.30,000/- (Rupees Thirty Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.



(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

Mkr./-

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