

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1046 of 2022

Arising Out of PS. Case No.-123 Year-2021 Thana- MATIHANI District- Begusarai

SAKET KUMAR Son of Rakesh Jha Resident of Village- Matihani, Ward No. 03, P.S.- Matihani, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 01-06-2022 Learned counsel for the petitioner is directed to remove all the defects pointed out by the stamp reporter within one month.

Heard learned counsel for the petitioner as well as learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Matihani P.S. Case No. 123 of 2021, registered for the offences punishable under Section 30 (A) of Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner has submitted that the petitioner was the driver-cum-owner of the e-rickshaw where from 60 litres of liquor was recovered.

As per paragraph No. 3 of the bail petition, the petitioner is a person of clean antecedents. He is under custody since 07.10.2021.



Considering the clean antecedents as well as period of custody, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Matihani P.S. Case No. 123 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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