

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2351 of 2023

Arising Out of PS. Case No.-389 Year-2021 Thana- BARHARA District- Bhojpur

Munna Kumar Yadav S/o Late Deonath Yadav R/v- Chakiya, P.S.- Taraiya,
District- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-01-2023 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Barhara P.S. Case No. 389 of 2021 lodged under Sections 379,
420, 411, 120B, 467/34 of the I.P.C. and 30(a) Bihar Prohibition
& Excise Act.

Learned counsel for the petitioner submits that bail
application of the petitioner was rejected vide order dated
02.12.2022 passed in Cr. Misc. 55893 of 2022 with a direction
that the petitioner may renew his prayer for bail after framing of
charge.

Learned counsel for the petitioner submits that charge

has been framed in this case on 19.01.2022. This has also been acknowledged in the order passed by the Executive Special Excise Court No. 1 in B.P. No. 7779 of 2022.

Learned counsel for the State opposes the prayer for bail and submits that charge has been framed in this case.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Bhojpur, Ara in connection with Barhara P.S. Case No. 389 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of

furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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