

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4179 of 2023

Arising Out of PS. Case No.-170 Year-2022 Thana- DUMARIAGHAT District- East
Champaran

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PRADEEP S/O KRISHNA, Resident of village- Popan Pana Gochhi, P.S.-
Beri, District- Jhajhar (Haryana). Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramanuj Tiwary

Ms. Jyoti Joshi

For the Opposite Party/s : Mr.Sanjay Kumar

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

ORAL ORDER

2 26-04-2023 Heard the learned counsel for the petitioner as well as

the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Dumariyaghat P.S. Case No. 170 of 2022, registered for
offence punishable under Sections 467, 468, 471, 420/34 of the
Indian Penal Code and Sections 30 (a), 32, 36, 41 (1) (2) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

As per allegation, 450 litres of foreign liquor was
recovered from the *Scorpio* vehicle of the petitioner.

The learned counsel for the petitioner has submitted
that the petitioner is a person of clean antecedent and he is under
custody since 14.08.2022.

On the other hand, the learned APP has opposed the
prayer for bail.



Considering the above-mentioned facts and circumstances as well as period of custody and clean antecedent of the petitioner, let him be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 2, East Champaran, Motihari in connection with Dumariyaghat P.S. Case No. 170 of 2022, 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.

(Nawneet Kumar Pandey, J)

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