

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5054 of 2023

Arising Out of PS. Case No.-150 Year-2022 Thana- CHANAN District- Lakhisarai

Mukesh Kumar Son of Dwarika Yadav R/v- Bataspur, P.S.- Chanan, District-
Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-03-2023 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 through virtual mode.

The petitioner seeks regular bail in connection with
Chanan P.S. Case No. 150 of 2022 lodged under Section 30(a)
of Bihar Prohibition and Excise (Amendment) Act, 2018.

As per the prosecution case, the recovery of one
motorcycle on which a yellow plastic bag containing 50 litre
desi mahua sharab has been made, which is the subject matter
of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Counsel
submits that police has arrested him upon chase. Counsel further

submits that petitioner is in custody since 10.10.2022 in which charge sheet has already been filed. Counsel submits that there is one criminal case pending against him in which he is on bail.

Learned counsel for the State opposes the prayer for bail.

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 Additional District and Sessions Judge-IV-cum-Special Judge Excise Act- I, District- Lakhisarai in connection with Chanan P.S. Case No. 150 of 2022, 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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