

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26098 of 2023

Arising Out of PS. Case No.-135 Year-2019 Thana- RAIL JHAJHA District- Jamui

Deepak Kumar Son of Sakindra Ray Resident of village-Jethuli, Ward No. 8,
P.S.-Nadiya, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 16-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Rail
Jhajha P.S. Case No. 135 of 2019 dated 12.09.2019 registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act, 2018.
3. The main submissions advanced by learned counsel for
petitioner are that in the present matter relating to the offence of
Section 30(a) of Bihar Prohibition and Excise (Amendment)
Act, 2018, the petitioner was granted bail by this Court vide
order passed in Cr. Misc. No. 66524 of 2019 and accordingly he
was released on bail on 08.11.2019 but just after one month his
bail bond was cancelled on 09.12.2019 because he did not
appear physically before the trial Court and on that date he was

out of station to earn his livelihood and he did not misuse the said privilege intentionally and in the present matter he has been languishing in jail since 14.12.2022.

4. Learned APP for the State opposes the bail prayer of the petitioner.

5. Considering the above submissions and mainly the petitioner's custody period and also the fact that as per statement made in paragraph no. 12 of the petition his bail bond was cancelled just one month after he was released on bail, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail, **after framing of charge, if the same has not been framed**, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Rail Jhajha P.S. Case No. 135 of 2019.

(Shailendra Singh, J)

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