

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56580 of 2023

Arising Out of PS. Case No.-985 Year-2022 Thana- NATHNAGAR District- Bhagalpur

Rajesh Tanti Son of Jageshwar Tanti Resident of village - Noorpur, P.O. -
Nathnagar, P.S. - Madhusudanpur, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Prakritita Sharma, Advocate Mr. Atul R.P. Singh, Advocate Mr. Krishna Chandra, Advocate
For the Opposite Party/s :		Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Nathnagar (Madhusudanpur) P.S. Case No. 985 of 2022 lodged
on 15.12.2022 under Section 30(a) of Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. As per prosecution case, 10 litres of country made
liquor has been recovered, which is the subject matter of the
present case.

4. Learned counsel for the petitioner submits that
petitioner is innocent and had not committed any offence. Under
deep rooted conspiracy, the present FIR has been lodged which
is the exact same FIR which is at Annexure-2 of the present writ



petition. Only dates are different. Counsel submits that the petitioner is in custody since 12.04.2023. Petitioner has two criminal cases pending against him in which he is on bail. Counsel submits that petitioner is law abiding citizen and ready to fulfill all the conditions whatever shall be imposed.

5. Learned counsel for the State opposes the prayer for bail.

6. 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 Special Judge, Exclusive Excise Court No.2, Bhagalpur, in connection with Nathnagar (Madhusudanpur) P.S. Case No.985 of 2022, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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