

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42565 of 2023

Arising Out of PS. Case No.-727 Year-2021 Thana- SARAIYA District- Muzaffarpur

Abhishek Kumar Son Of Shatrughan Ray, Village- Khaira, P.S.- Saraiya,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-07-2023 Let the defect, if any, be removed within two weeks
from today.

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

3. The petitioner seeks regular bail in connection with
Trial No. 590 of 2022 (Special Excise No. 447 of 2022), arising
out of Sariya P.S. Case No. 727 of 2021 dated 29.10.2021
lodged under Sections 272, 273, 284, 328, 307, 302, 341, 120B
of the I.P.C. and Sections 30(a), 30(c) and 37(b) of Bihar
Prohibition & Excise Act, 2016.

4. Learned counsel for the petitioner submits that the
bail petition of the petitioner was earlier rejected vide order
dated 18.11.2022 passed in Cr. Misc. No. 49801 of 2022.
Counsel further submits that his bail petition was rejected with

liberty that he may renew his prayer for bail 6 months after framing of charge. Counsel further submits that vide order dated 13.12.2022 charge has been framed in this case and thereafter this bail application has been filed on 14.07.2023. Counsel further submits that other co-accused persons have been granted bail by the Co-ordinate Bench of this Court (Annexure-3 series).

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, Excise Court No.-II, Muzaffarpur in connection with Trial No. 590 of 2022 (Special Excise No. 447 of 2022), arising out of Sariya P.S. Case No. 727 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 an 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.

7. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ravishankar/-

U		T	
---	--	---	--