

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61455 of 2022

Arising Out of PS. Case No.-207 Year-2022 Thana- BHAGWANPUR District- Vaishali

Sanjeev Kumar, aged about 38 years, Male, S/O Ramlal Singh R/O Village-
Vishunpur Bandey, P.S- Bhagwanpur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Adv

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-01-2023 This matter has been taken up today for consideration through
video conferencing.

Heard learned counsel for the petitioner and the learned APP
for the State.

The petitioner seeks bail in connection with Bhagwanpur
Police Station Case No. 207 of 2022 dated 27.08.2022, registered for
the offence punishable under Sections 272, 273 of the Indian Penal
Code and 30(a) of the Bihar Prohibition and Excise Amendment Act,
2018.

From behind the petitioner's betel shop, there is recovery of
133.56 litres (one hundred thirty three litres and fifty six milliliter) of
illicit liquor.

Learned counsel for the petitioner submits that the petitioner's
implication is without any basis, even as per the seizure list, recovery
is from behind the shop and not from the shop. He has been made an
accused due to his antecedents in 3 (three) cases of similar nature, in
which he is already on bail. Even as per prosecution case, there is no
recovery from the petitioner's possession. The petitioner is in custody



since 29.08.2022.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1-cum-Additional District & Sessions Judge, Vaishali at Hajipur, in connection with Bhagwanpur Police Station Case No. 207 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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