

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 66887 of 2023

Arising Out of PS. Case No.-194 Year-2023 Thana- BUNIYAD GANJ District- Gaya

Munna Raut @ Wakil @ Wakil Raut Son Of Late Kapildev Raut Resident Of
Village - Shekha Bigha, P.S. - Buniyadganj, District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Buniyadganj P.S. Case No. 194 of 2023 dated 07.06.2023,
lodged under Section 30(a) of the Bihar Prohibition and Excise
Amendment Act, 2018.

3. As per the prosecution case, the total recovery of 12
litre *desi mahua* wine has been made from the possession of the
petitioner, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that there are two antecedents of the petitioner in which
he is on bail. Counsel submits that the petitioner is in custody
since 08.06.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that the antecedent of the petitioner is not clean and he is accused in rest two cases which has arisen from the excise matter itself.

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 Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Exclusive Special Excise Court No. 01, Gaya in connection with Buniyadganj P.S. Case No. 194 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other 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.

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

(Dr. Anshuman, J.)

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