

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70926 of 2023

Arising Out of PS. Case No.-624 Year-2023 Thana- MALSALAMI District- Patna

Sunil Kumar, Son Of Kameshwar Rai Resident Of Village - Rikabganj, Rice Mill Ke Pas, P.S. - Malsalami, District - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Malsalami P.S. Case No. 624 of 2023, lodged on 07.09.2023 under Sections 30(a)/36 of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, the FIR has been lodged against 5 named accused persons including the present petitioner and recovery of 50 litres country made wine and 12.390 litres of foreign liquor have been recovered in the present case along with Rs. 9,600/- of cash.

4. Learned counsel for the petitioner submits that as per the FIR, the recovery was made from the house of one Vinod Rai and the alleged recovery was made from the room of



Manoj Rai. Counsel for the petitioner also submits that the name of the petitioner is Sunil Kumar who is family member of the Manoj Rai. He further submits that the antecedent of the petitioner is clean and he is in custody since 08.09.2023.

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

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, Patna City, Patna in connection with Malsalami P.S. Case No. 624 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as 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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