

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70987 of 2023

Arising Out of PS. Case No.-191 Year-2023 Thana- AMBA District- Aurangabad

Vanshi Bhuiyan Son Of Late Tulsi Bhuiyan @ Late Bipat Bhuiyan Resident
Of Village - Aajad Bigha, Ps- Amba, Distt- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Amba P.S. Case No.191 of 2023, lodged on 11.08.2023, under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

3. As per the prosecution case, FIR has been lodged
against the present petitioner and recovery of 11 liters of wine
has been the subject matter of the present case.

4. Learned counsel for the petitioner submits that
petitioner has neither arrested from the place of occurrence nor
anything has been recovered from his possession. He submits
that by virtue of statement of co-villager his name has surfaced.
Counsel for the petitioner submits that antecedent of the



petitioner is not clean and is accused in in one case in which he is on bail.

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

5. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge** 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-I, Aurangabad, in connection with Amba P.S. Case No.191 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure 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.

(Dr. Anshuman, J)

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