

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.471 of 2023

Arising Out of PS. Case No.-789 Year-2022 Thana- ARARIA District- Araria

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Suraj Kumar S/O Pramod Singh, R/O Village- Barhara Ward No.- 5, P.S-
Raniganj, District- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2023 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode

The petitioner seeks regular bail in connection with
Araria (R.S.) P.S. Case No. 789 of 2022 lodged under Sections
30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, total recovery of 235.5 liter
of wine has been made in this case.

Learned counsel for the petitioner submits that there
were two vehicles apprehended by the police. In one vehicle
201.645 liter was recovered in which 6 persons including the
petitioner were sitting. Counsel further submits that there is one
criminal case pending against the petitioner and he is in custody

since 13.09.2022. He further submits that the co-accused having similarly allegation, has been granted bail by the Co-ordinate Bench of this Court vide order dated 06.01.2023 passed in Cr. Misc. No. 64736 of 2022.

Learned counsel for the State opposes the prayer for bail.

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 Exclusive Special Excise Judge-Ist, Araria in connection with Araria (R.S.) P.S. Case No. 789 of 2022, 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.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ravishankar/-

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