

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71404 of 2021

Arising Out of PS. Case No.-406 Year-2021 Thana- BYPASS District- Patna

Rohit Kumar @ Pari, Son of Chhedi Saw @ Suresh Prasad Resident of Durga Charan Lane, Belwarganj, P.S.- Alamganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-05-2022 Heard learned counsel for the parties.

Let the defect(s) be removed within four weeks of the complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection with Special Case No.6654 of 2021 arising out of Bypass P.S. Case No.406/2021 instituted under Section 30(a) of the Bihar Prohibition and Excise Act.

As per the FIR, the police upon information intercepted a tempo on which three persons were riding. They tried to flee away but were apprehended and disclosed their name as Golu Kumar @ Bela, Rohit Kumar @ Pari (the petitioner herein). The tempo was searched and it is alleged that 200 liters of countrymade ‘Mahua’ was recovered/seized.

Learned counsel for the petitioner submits that he runs a ‘Kabari Shop’ near the place of occurrence and has falsely



been implicated by the police. He further submits that he has no criminal antecedent and he is in jail since 15.10.2021 (as stated in para-13 of the bail application).

Considering the fact that he is in jail since 15.10.2021 and has got no criminal antecedent as also the fact that the charge-sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.15,000/-(Rupees Fifteen Thousand) with two sureties of the like amount each in connection with Special Case No.6654 of 2021 arising out of Bypass P.S. Case No.406/2021 to the satisfaction of learned Special Judge, Excise Act, Patna, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her 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 reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his



presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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