

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68896 of 2022

Arising Out of PS. Case No.-283 Year-2021 Thana- AMAS District- Gaya

VISHAL KUMAR Son of Ram Bali Gupta R/v- Sawn Kala, P.S.- Amas,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan, Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-12-2022 Heard learned counsel for the petitioner and Mr.
Jitendra Kumar Singh, learned APP who represents the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Amas P.S. Case No. 283 of 2021 for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the FIR, the accused was driving Bolero Pick-
Up and upon search, the police found 135 litres of country made
liquor and 80 white plastic bags of 50 each of Mahua, totalling
4000 kgs. Mahua flower was also recovered/seized.

The case was earlier heard in Cr. Misc. No. 69565 of
2021 which was rejected on 23.5.2022.

Once again, the petitioner has moved this Court for



bail.

Taking into account the period of custody i.e. 12.10.2021 (as stated in para-14 of the bail application) as also that he has no criminal antecedent (as stated in para-3 of the said application), this Court is inclined to grant him privilege of bail with strict conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-IIInd-cum-Special Judge of Excise Act, Gaya, in connection with Amas P.S. Case No. 283 of 2021, subject to the 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 reason will entail cancellation of his/her bail bond by the Trial Court itself;

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



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/Ajay/-

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