

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15717 of 2023

Arising Out of PS. Case No.-514 Year-2018 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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PRAVIN KUMAR S/O SHYAM SUNDAR RAM R/v- Kharidi Matihani,
P.S.- Matihani, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary
For the Opposite Party/s : Mr. Md. Nazir Ansari

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Kotwali P.S. Case No. 514 of 2018, registered
for the offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act- 2016.

As per allegation, FIR was registered against 13
accused persons on the application of police officer who
received secret information that a truck loaded with illicit liquor
was coming from Naugachhiya. On that information, the police
party intercepted that truck. Five persons who were present in
the truck were arrested, whereas the driver became successful in
fleeing away. 1296 liters of liquor was recovered from that



truck.

The learned counsel for the petitioner has submitted that he is innocent and he was not arrested at the spot. The petitioner was arrested in an other case and on the basis of confessional statement in that case he was remanded in the present case. He has also submitted that on similar ground other accused persons have been granted bail by a coordinate Bench of this Court. He is under custody since 28.09.2022.

Considering the above-mentioned facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Bhagalpur in connection with Kotwali P.S. Case No. 514 of 2018, subject to the following conditions:-

(i) Before accepting the bail bond of the petitioner the learned court below shall verify his criminal antecedent and if it is found that he is involved in any other case of similar nature except those which have been mentioned in paragraph No. 3 of the bail petition, the learned court below shall be at liberty to cancel his bail petition.

(ii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the



court.

(iii) If the petitioner is found involved in future in the similar type of offense, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

SONALI/Sudha

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