

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51560 of 2023

Arising Out of PS. Case No.-72 Year-2022 Thana- AMNAUR District- Saran

BINOD NUT Son of Kariya Nut @ Chokilall Nut Resident of Village -
Chitkohara, P.S.- Sachiwalaya, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No.2, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Amnour P.S. Case No.72 of 2022 instituted under Section 353,307,401,413,414 of the IPC and 30A of Bihar Prohibition and Excise Act, 2016 lodged on 15.03.2022 by the informant Sujeet Kumar Chaudhary.

As per the prosecution story, the police intercepted the Scorpio, the driver gave his name as Dharmendra Nut and further also disclosed the names of other persons which included the petitioner. He however parked the car and disappeared whereafter the Scorpio was opened and altogether 290 liters countrymade liquor recovered/seized. Since the accused person already had named him as one of the co-accused, he came into judicial custody on 13.02.2023 (para-11 of the petition).



Learned counsel for the petitioner submits that he has not been apprehended from the spot nor the vehicle belongs to him, only on the disclosure of Dharmendra Nut, his implication.

Learned APP opposes the prayer for bail.

Considering the aforesaid submissions put forwarded by the learned counsel for the petitioner as also his period of custody, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Amnour P.S. Case No.72 of 2022 to the satisfaction of learned Additional District & Sessions Judge,II cum Ist Special Judge Excise, Saran at Chapra, 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 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 bond by the Trial court itself;

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



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.

(Rajiv Roy, J)

Prakash Narayan

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