

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50516 of 2023

Arising Out of PS. Case No.-344 Year-2022 Thana- KEWATI District- Darbhanga

SUNIL KUMAR DAS @ SUSHIL KUMAR DAS @ SUHI DAS SON OF
SHANKAR DAS RESIDENT OF VILLAGE- DONAR, DILAWARPUR, PS-
BAHADURPUR, DISTT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-08-2023 Heard the parties.

The petitioner is an accused in connection with Keoti P.S. Case No. 344 of 2022 registered for the offences under section 30(a) of the Bihar Prohibition and Excise Act lodged on 06.10.2022 by the informant, Pramila Kumari.

As per the prosecution story, the police during patrolling intercepted a 'car' and recovered/seized 135 litres 'nepali' liquor. Accordingly, the FIR.

It is the case of the learned Counsel for the petitioner that the vehicle does not belong to him, he is simply a driver and only because he has criminal antecedent, implicated.

The last submission is that he is in custody since 07.10.2022 (as stated in paragraph 12 of the bail application).



Learned APP for the State, on the other hand, opposes the prayer for bail stating that he has criminal antecedents *inasmuch* as he has eight cases under his belt.

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

Let the petitioner be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousands only) with two sureties of like amount each to the satisfaction of the learned Exclusive Special Judge -I (Excise Act), Darbhanga in connection with Keoti P.S. Case No. 344 of 2022, 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 *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 month for next one year 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 his 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)

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