

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50120 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- YADOPUR District- Gopalganj

KAMLESH SINGH SON OF ADALAT SINGH RESIDENT OF VILLAGE-
AHIRALI DAN, PS- TARAIIYA SUJAN, DIST- KUSHINAGAR, UTTAR
PRADESH

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mr.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection
with Jadopur P.S. Case NO. 147 of 2023 registered under
Sections 30 (a) of the Bihar Prohibition and Excise Act, 2018
lodged on 21.06.2023 by the informant, Ramji Viswakarma.

As per the prosecution story, the police intercepted
two motorcycles, accused persons tried to escape but one of
them was arrested and altogether 90 liters country made liquor
was/were recovered/seized. Accordingly, the FIR.

It is the case of the petitioner that the motorcycle does
not belong to him and the alleged recovery attributed to
someone else has led to his implication.



Learned APP for the State opposes the prayer for bail.

Considering the aforesaid submissions put forward by the learned counsel for the petitioner and as reflects from paragraph-3, he do not have criminal antecedent, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge- II -cum- Special Judge, Excise I, Gopalganj in connection with Jadopur P.S. Case No. 147 of 2023, 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 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.

(Rajiv Roy, J)

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