

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50132 of 2023

Arising Out of PS. Case No.-250 Year-2023 Thana- PHULPARAS District- Madhubani

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BRAMHADEO KAMAT @ BRAMHADEV KAMAT @ BRAHAMDEO
KAMAT SON OF MAHESH LAL KAMAT @ MAHESH KANT KAMAT
RESIDENT OF VILLAGE - BATHNAHA, P.S. - PHULPARAS, DISTRICT
- MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr.Parmanand Prasad, APP

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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 Phulparas P.S. Case No. 250 of 2023 registered under
Sections 30 (a) of the Bihar Prohibition and Excise Act, 2022
lodged on 06.05.2023 by the informant, S.K. Singh.

As per the prosecution story, the police intercepted a
car and recovered/seized 108 liters of foreign liquor, it was
followed by interception of another car and recovering/seizure
of 144 liters of foreign liquor. Accordingly, the FIR.

It is the case of the learned counsel for the petitioner
that he is not the owner of either of the car, was merely a
passer-by and ‘chowkidar’ has implicated him.



Learned APP for the State opposes the prayer for bail.

Considering the aforesaid submissions put forward by the learned counsel for the petitioner as also that he has no 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 Special Judge Excise Act, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 250 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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