

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50143 of 2023

Arising Out of PS. Case No.-233 Year-2023 Thana- BAISI District- Purnia

=====

DILIP MAHALDAR S/O LATE SUMRIT MAHALDAR R/O VILLAGE-
KHAMELA, WARD NO.- 10, P.O- AWARI, PS.- AMAUR, DIST. PURNIA
(BIHAR)

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Pradeep Narain Kumar

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-08-2023 No one appears on behalf of the petitioner and

learned APP for the State is present.

The petitioner is in judicial custody in connection
with Bayasi P.S. Case No. 233 of 2033 registered under Sections
414, 472 and 473 of the Indian Penal Code and Section 30 (a)
41, and 47 of the Bihar Prohibition and Excise Act, 2018 lodged
on 10.06.2023 by the informant, Shashikant Singh.

The allegation in the FIR is that the police intercepted
a motorcycle and recovered/seized 42 liters of foreign liquor
from a bag on the said motorcycle. Accordingly, the FIR.

As per the petition, he has been implicated only
because he has criminal antecedent of same nature and has
already suffered by being in custody since 11.06.2023 (as stated



in paragraph-23 of the petition).

Considering the aforesaid facts as also that ultimately he will have to face the trial, 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 -01), Purnia in connection with Bayasi P.S. Case No. 233 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 months 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.

(Rajiv Roy, J)

Jagdish/-

U			
---	--	--	--

