

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50994 of 2023

Arising Out of PS. Case No.-131 Year-2023 Thana- YADOPUR District- Gopalganj

Ritik Singh Son Of Rakesh Singh Resident Of Village- Balua Tola, Ps-
Kuchaikote, Distt- Gopalganj At Present Resident Of Village- Jadopur,
Shukul, Ps- Jadopur, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, 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 Yadopur P.S. Case No. 131 of 2023 for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act lodged on 9.6.2023 by the informant, Rakesh Kumar.

As per the prosecution story, from the boat on the river, 468 liters of country made liquor was recovered/seized. One Hasnain Ansari was apprehended and he named this petitioner. Accordingly, the FIR.

Learned counsel for the petitioner submits that he has not been arrested from the spot. His name has come in the confession and has remained in custody since 8.7.2023 (para-9



of the petition)

Learned APP opposes the prayer.

Considering the aforesaid submission put forward by the learned counsel for the petitioner as also that he was not apprehended on the spot, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-II cum Special Judge Excise Court No.1, Gopalganj, in connection with Yadopur P.S. Case No. 131 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 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 his 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 his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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