

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51574 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- VIDYAPATINAGAR District- Samastipur

PRAMOD THAKUR SON OF SITARAM THAKUR RESIDENT OF
VILLAGE - MAU BAZAR, P.S. - VIDHYAPATINAGAR, DISTRICT -
SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with Vidhyapatinagar P.S. Case No. 45 of 2023 registered under Sections 30 (a) of the Bihar Prohibition and Excise Act lodged on 02.04.2023.

As per the prosecution story, upon secret information that the liquor has been kept in a room near water tank in the house of Vipin Roy, the same was raided, accused tried to escape but one person, Pramod Thakur (the petitioner herein) was apprehended. 888.690 liters foreign liquor was recovered/seized.

It is the case of the petitioner that admittedly, the



recovery/seizure is from the land of Vipin Roy, he has nothing to do with it and further he has remained in custody since 02.04.2023 as reflects from the order sheet of learned Special Judge, Excise-1, Samastipur.

Learned APP for the State opposes the prayer for bail stating that he has criminal antecedent.

Considering the submission put forward by the learned counsel for the petitioner as also the fact that the alleged recovery is not from the possession of the petitioner and the petitioner is in custody since 02.04.2023, 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 -1st Samastipur in connection with Vidyapatnagar P.S. Case No. 45 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 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.

(Rajiv Roy, J)

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