

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53653 of 2023

Arising Out of PS. Case No.-185 Year-2023 Thana- KHODAWANDPUR District- Begusarai

RAM BABU PRASAD @ RAM BABU PRASAD SINGH SON OF
VISHUN DEV SINGH R/O-WARD NO. 09, P.S.-KHODAWANDPUR
(CHORAH I O.P), DISTT.-BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with Khodawandpur (Chorahi O.P.) P.S. Case No. 185 of 2023 registered under Section 30 (a) of the Bihar Prohibition Excise Act, 2018 lodged on 22.06.2023 by the informant, Kanchan Kumar Das.

As per the prosecution story, the police on patrolling duty received secret information that one Ankit Kumar is doing the business of liquor at his Poultry Farm. Accordingly, the police reached there, one person escaped, 'Chowkidar' identified him as Ankit Kumar. Accordingly, the FIR.

It is the case of the petitioner that he is the father of



Ankit Kumar, nothing to do with the alleged act of his son and only because Ankit Kumar was not arrested, the police took him in custody and has suffered by being in custody since 22.06.2023 (as stated in paragraph-15 of the bail application) though he do not have criminal antecedent.

Learned APP for the State opposes the prayer for bail.

Taking into account the fact that as per the prosecution story, the allegation is against Ankit Kumar, he is the father of the said, and is in custody since 22.06.2023, 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 Exclusive Special Excise Judge- 1st, Begusari in connection with Khodawandpur (Chorahi O.P) P.S. Case No.185 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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