

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51568 of 2023

Arising Out of PS. Case No.-27 Year-2023 Thana- MANSI RAIL P.S. District- Khagaria

Kumar Gaurav S/O Satyendra Narayan Singh @ Satendra Singh R/O Village-
Sardiha, Ward No. 8, Ps. Simri Bakhtiyarpur, Dist. Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-08-2023 No one appears on call although learned APP is present.

The petitioner is in judicial custody in connection with Mansi Rail P.S. Case No.27 of 2023 instituted under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022 lodged on 08.05.2023 by the informant Md. Kamal Khan.

As per the prosecution story, the police in course of checking of the train recovered near the wash room 36 liters English wine and the petitioner was arrested.

As per the petition, he is an Army man nothing to do with the wine and only because he was present near the wash room, has been taken into custody since 09.05.2023 (para-15 of the petition).



Learned APP opposes the prayer for bail.

Considering the aforesaid facts as also his period of custody, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Mansi Rail P.S. Case No.27 of 2023 to the satisfaction of learned Special Excise Judge-2, Khagaria, subject to 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 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 the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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