

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52325 of 2023

Arising Out of PS. Case No.-143 Year-2023 Thana- BASOPATTI District- Madhubani

LALDEO PRASAD SON OF RAJ KUMAR YADAV RESIDENT OF
VILLAGE- PANCHRATAN, PS- BASOPATTI, DIST- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-08-2023 Heard the parties.

The petitioner is an accused in connection with Basopatti P.S. Case No. 143 of 2023 (G.R. No. 961 of 2023) registered for the offences under sections 272, 273 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act lodged on 19.06.2023 by the informant, Madhu Kumar Singh.

As per the prosecution story, the police reached Purnahi Chowk and started vehicle checking. Three motorcycles were caught coming loaded with bags on it, while two persons were apprehended, one escaped. Altogether 244.7 litres of illicit liquor was recovered from the three motorcycle followed by the FIR.

The case of the petitioner is that nothing recovered



from his conscious possession and he was returning from his relative house but due to suspicion, the police picked him up, is in custody since 20.06.2023 (as stated in paragraph 7 of the bail application).

Learned APP for the State, on the other hand, opposes the prayer for bail.

Taking into account the aforesaid submissions put forward by the learned Counsel for the petitioner, period of custody (20.06.2023), FIR lodged and ultimately will face the trial, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned 2nd Additional Sessions Judge cum Special Judge Excise Act, Madhubani in connection with Basopatti P.S. Case No. 143 of 2023 (G.R. No. 961 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 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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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