

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52730 of 2023

Arising Out of PS. Case No.-304 Year-2023 Thana- SIKARPUR District- West Champaran

Devilal Dhangar S/O Chokat Dhangar R/O Mohalla- Purani Bazar, Ward No. 02, Ps. Shikarpur, Dist. West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate

For the Opposite Party/s : Ms.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Shikarpur P.S. Case No.304 of 2023 instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 lodged on 16.04.2023 by the informant Arbind Singh.

As per the prosecution story, while on patrolling duty, upon information, the police intercepted three persons with one bag carrying 2 liters each of countrymade liquor which were recovered/seized.

As per the petitioner, the police has framed them only because of criminal antecedent and have remained in jail since 17.04.2023 (para-9 of the petition).

Learned APP opposes the prayer for bail.

Considering the aforesaid submissions put forward by the learned counsel for the petitioner as also that they are in custody since 17.04.2023, 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 Shikarpur P.S. Case No.304 of 2023 to the satisfaction of learned Exclusive Special Judge, Excise, Bettiah, West Champaran, 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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