

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53310 of 2023**

Arising Out of PS. Case No.-462 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.  
District- Kaimur (Bhabua)

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Anand Kumar, Son of Shri Kunwar Singh, Resident of Village- Pathara, Ps-  
Tilauthu, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Parwej Khan, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      22-08-2023                      Heard the parties.

The petitioner is in judicial custody in connection with P.R. Case No. 462 of 2023 instituted under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise (Amendment) Act lodged on 20.07.2023 by the informant Md. Ahaur Rahman.

As per the prosecution case, the police intercepted the tractor coming from Uttar Pradesh and recovered/seized 406.4 litres country made liquor/wine and the driver of the said truck was arrested. Accordingly, the FIR.

It is the case of the petitioner that he was driving the tractor little realizing that it has hidden box carrying wine and the petitioner has suffered by being custody since 21.07.2023 (para 4 of the petition).



Learned APP opposes the prayer for bail.

Considering the submissions put forward by the learned counsel for the petitioner as also that he is in custody since 21.07.2023, 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 P.R. Case No. 462 of 2023 to the satisfaction of learned Special Judge Excise No. 2-cum-Additional Sessions Judge-VII, Kaimur at Bhabhua, 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)**

Bhardwaj/-

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