

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52900 of 2023

Arising Out of PS. Case No.-142 Year-2023 Thana- LAUKAHA District- Madhubani

MAHESHWAR RAM S/O LATE RAM PRASAD RAM R/O VILLAGE-
MADHOPUR, P.S- LAUKAHA, DISTT.- MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Laukaha P.S. Case No. 142 of 2023 for the offence punishable under Sections 272, 273, 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act lodged on 6.6.2023 by the informant, Santosh Kumar Mandal.

As per the prosecution story, the police apprehended two persons with sacks and recovered/seized 208.200 ml. Nepali liquor. Accordingly, the FIR.

The case of the petitioner is that these sacks did not belong to him. It was lying on the road, the police only to implicate him attributed it to him, is in custody since 7.6.2023 (para-13 of the petition) and do not have criminal antecedent.



Learned APP opposes the prayer for bail.

Considering the aforesaid submission put forward by the learned counsel for the petitioner and he do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge Excise Act, Jhanjharpur, Madhubani, in connection with Laukaha P.S. Case No. 142 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 fortnight for next six months to mark his 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 his bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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