

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53779 of 2023

Arising Out of PS. Case No.-456 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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SANJIT KUMAR SON OF SHRI BHUSHAN YADAV RESIDENT OF
VILLAGE- PARRIYA WARD NO. 4, PS- MADHEPURA, DISTT-
MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-08-2023

Heard the parties.

The petitioner is in custody since 09.06.2023 in connection with Madhepura Excise P.S. Case No. 456 of 2023 for the offence punishable under Sections 30 (A) of Bihar Prohibition and Excise Amendment Act, lodged on 08.06.2023 by the informant, Dinesh Kumar.

As per the prosecution story, on information, the petitioner was intercepted and from the bag, 9.600 ML syrup was/were recovered/seized. Accordingly, the FIR.

Learned counsel for the petitioner submits that police has implicated him and nothing has been recovered from his conscious possession.

Learned APP opposes the prayer for bail.



Taking into account the submissions put forward by the learned counsel for the petitioner, is in custody since 09.06.2023 (as stated in paragraph -13 of the petition), 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 A.D.J. 7th Cum Special Judge Excise 2nd, Madhepura, in connection with Madhepura Excise P.S. Case No. 456 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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