

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56246 of 2023

Arising Out of PS. Case No.-549 Year-2022 Thana- BIKRAM District- Patna

RAM PUKAR KUMAR @ SUDDU @ PUSKAR son of Munarik Yadav @
Mundrika Yadav Village- Painapur Ps- Bikram Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-08-2023 Heard the parties.

The petitioner is an accused in connection with Special Excise Case No. 2334 of 2022 arising out of Bikram P.S. Case No. 549 of 2022 registered for the offences under sections 30(a)(b), 32(2)(3), 36, 41(i)(ii), 56 and 62 of the Bihar Prohibition and Excise Act and sections 467, 468, 420 and 120(B) of the Indian Penal Code lodged on 20.12.2022 by the informant, Mithilesh Kumar Singh.

As per the prosecution story, the allegation is that a car was intercepted and 3649.68 litres of liquor was recovered/seized. This followed the FIR.

It is the case of the petitioner that only because the car was parked outside his godown, he has been implicated, nothing has been recovered from his conscious possession nor he has



been arrested from the spot.

Learned APP for the State, on the other hand, opposes the prayer for bail stating that he has criminal antecedent of same nature.

Taking into account the submissions put forward by the learned Counsel for the petitioner, is in custody since 26.05.2023 (as stated in paragraph 2 of the supplementary affidavit), this Court is inclined to extend him privilege of bail but after framing of the charges.

Let the petitioner be released on bail after framing of the charges on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Special Excise Judge, Danapur, Patna in connection with Special Excise Case No. 2334 of 2022 arising out of Bikram P.S. Case No. 549 of 2022, 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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