

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54985 of 2023

Arising Out of PS. Case No.-225 Year-2023 Thana- JANDAHA District- Vaishali

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ARVIND RAI S/O PANCHHI LAL R/O YADUNANDANPUR, P.S-
JANDAHA, DISTT.- VAISHALI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Poonam Kumari, Advocate

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-08-2023 Heard the parties.

The petitioner is in custody in connection with Jandaha P.S. Case No. 225 of 2023 for the offence under sections 272, 273 of the Indian Penal Code and section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018 lodged on 19.07.2023 by the informant, Shivshankar Singh.

As per the prosecution story, on secret information that Arvind Rai is having country made liquor in his home, his house was raided, he was apprehended and 60 liters of country made liquor was/were recovered. Accordingly, the FIR.

Learned counsel for the petitioner submits that the recovery is from a joint house, as he was returning from market, the Police arrested him outside the house and he has already suffered by being in custody since 20.07.2023 (as stated in



paragraph 9 of the petition)

Learned APP opposes the prayer for bail.

Considering the aforesaid submissions put forward by the learned counsel for the petitioner, recovery is from a joint house and is in custody since 20.07.2023, 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) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-cum- Additional District and Sessions Judge, Vaishali at Hajipur, in connection with Jandaha P.S. Case No. 225 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/her 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 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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