

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 59254 of 2023

Arising Out of PS. Case No.-412 Year-2023 Thana- SHEKHPURA District- Sheikhpura

ATUL KUMAR son of Dhaneshwar Dangi Village- Nima Ps- Chouparan
Dist- hazaribagh Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-09-2023 Heard the parties.

2. The petitioner is in custody in connection with Sheikhpura P.S. Case No. 412 of 2023 for the offence under section 30(a)/41/32 of the Bihar Prohibition and Excise (Amendment) Act, 2018 lodged on 05.07.2023 by the informant, Ramashankar Prasad Chaurasiya.

3. As per the prosecution story, the Police intercepted two vehicles, a Scorpio and a Maruti Suzuki Dezire and recovered/seized 162 liters liquor. Accordingly the FIR.

4. Learned counsel for the petitioner submits that he was an occupant of Maruti Suzuki Dezire alongwith his friend, little realizing that the car is containing liquor for which he has already suffered by being in custody since 05.07.2023 (as stated in paragraph 12 of the petition) and do not have criminal



antecedent.

5. Learned APP opposes the prayer for bail.

6. Taking into account the aforesaid submissions as also the period of custody i.e. 05.07.2023, do not have criminal antecedent, FIR lodged and will have to face the trial, this Court is inclined to extend him the privilege of bail with conditions.

7. 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 Judge, Sheikhpura, in connection with Sheikhpura P.S. Case No. 412 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.

8. With the aforesaid observations, the bail application
is allowed.

(Rajiv Roy, J)

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