

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64481 of 2023

Arising Out of PS. Case No.-591 Year-2023 Thana- Excise P.S. District- Aurangabad

Mantosh Kumar Son Of Subedar Singh resident of Village Radhe Bigha, Po-
Kara, Ps- Obra, Dist- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Excise P.S. Case No. 591 of 2023 lodged under Section 30(a) of
the Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution case, total recovery of
293.760 liters foreign wine has been made from the car from
which the petitioner has been apprehended.

4. Learned counsel for the petitioner submits that
petitioner is neither driver nor cleaner nor owner of the Car.
Learned counsel submits that under wrong impression he has
taken lift, when he was returning from the house of his relative,
and he is completely unaware that the illicit material has been
kept in the car. Counsel for the petitioner submits that charge



sheet has already been filed in this case and he is in custody since 26.07.2023 having one criminal antecedent in which he is on bail.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) Court No. II, Aurangabad, in connection with Excise P.S. Case No.591/2023, 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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for 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 evidence,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds; and

(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.

(Dr. Anshuman, J)

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