

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68683 of 2023

Arising Out of PS. Case No.-282 Year-2023 Thana- MESKAUR District- Nawada

Rajmani Kumar S/O Ravindra Singh R/O Village- Bichha, P.S- Vajirganj,
Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hansraj, Adv

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Maskaur (Sirdalla) P.S. Case No. 282 of 2023 registered on
13.07.2023 lodged under Sections 30(a), 41 of the Bihar
Prohibition and Excise Act (Amendment), 2018.

3. As per the prosecution case, F.I.R. has been lodged
against six named accused persons including the petitioner.
Total recovery of 1050 litre of illicit liquor is the subject matter
of the present case.

4. Counsel for the petitioner submits that the alleged
liquor has been recovered from Sumo and motorcycle and the
petitioner is the driver of the alleged vehicle i.e. Sumo on which
950 litre of illicit liquor was recovered. Counsel further submits



that there is violation of Section 100 of Cr.P.C. in preparation of the seizure list.

5. Counsel further submits that petitioner further submits that petitioner is in custody since 14.07.2023 having two criminal case pending against him, in which he is on bail.

6. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail *after framing of charge* and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge -I, Nawada in connection with Maskaur (Sirdalla) P.S. Case No. 282 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



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.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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