

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66317 of 2023

Arising Out of PS. Case No.-372 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

Puspendra Kumar, S/o- Yugul yadav @ Jugul Yadav R/o- vill and P.o-
sihorawa, P.S.-jadopur, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pritish Ranjan, Advocate
For the State : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kuchaikote P.S. Case No. 372 of 2023, lodged on 22.07.2023
under Sections 30(a)/37 of the Bihar Prohibition and Excise
Amendment Act 2018.

3. As per the prosecution case, total recovery of 87
litres of the country made liquor is the subject matter of the
present case.

4. Learned counsel for the petitioner submits that the
allegation against the petitioner is only recovery of 47 litres of
country made liquor. He submits that the petitioner is innocent
and has committed no offence. He also submits that the
petitioner is a labour and he was asked to remove the bag from



one place to another. He further submits that the antecedent of the petitioner is clean and he is in custody since 23.07.2023 and is completely unaware of what is present in the said bag.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that it is true that antecedent of the petitioner is clean.

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 Additional District & Sessions Judge-IV-cum-Exclusive Spl. Excise Court-II, District-Gopalganj in connection with Kuchaikote P.S. Case No. 372 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as 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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