

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66865 of 2023

Arising Out of PS. Case No.-127 Year-2022 Thana- BIKRAM District- Patna

Ram Pukar Kumar @ Pushkar Kumar @ Pushkar @ Saddu S/O Munarik
Yadav @ Mundrika Yadav @ Munarik Rai R/O Village - Painapur, P.S. -
Bikram

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. Ahmad Ali, 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
Special Case No. 591 of 2022 (arising out of P.R. Bikram P.S.
Case No. 127 of 2022) lodged under Sections 30(a), 32(1),
32(3), 41(1), 41(2) and 45 of Bihar Prohibition and Excise Act.

3. As per the prosecution case, the total recovery of
39.75 liter of illegal foreign liquor has alleged to be made,
which is subject matter of the present case.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that in the said case, he has been remanded and in custody since
10.08.2023.

5. Counsel further submits that there are 4 criminal cases pending against the petitioner in which he is on bail in all the 4 cases.

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

7. 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 Excise Judge, Danapur, Patna in connection with Special Case No. 591 of 2022 (arising out of P.R. Bikram P.S. Case No. 127 of 2022), subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other 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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