

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68111 of 2023

Arising Out of PS. Case No.-216 Year-2023 Thana- RAJNAGAR District- Madhubani

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Ashok Kumar S/O Kusheshwar Yadav Village- Sahuriya, Ps- Jainagar, Dist-
Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
G.R. No. 1198 of 2023 arising out of Rajnagar P.S. Case No.
216 of 2023 lodged under Section 414 of the I.P.C. read with
Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, the F.I.R. has been
lodged against the petitioner from whose possession, the total
recovery of 135 liter of wine has alleged to be made on a bike.

4. Counsel for the petitioner submits that petitioner is
in custody is since 06.08.2023 having clean antecedent. He
submits that under conspiracy, he was riding bike and police has
apprehended him.

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, **but only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-2nd -cum- Special Judge, Excise Act, Madhubani, in connection with G.R. No. 1198 of 2023 arising out of Rajnagar P.S. Case No. 216 of 2023, 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.)

Prakashmani/-

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