

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 69570 of 2023

Arising Out of PS. Case No.-1133 Year-2023 Thana- DANAPUR District- Patna

BIKRAM KUMAR @ VIKRAM KUMAR Son of Indrajeet Ray @ Indrajeet
Rai R/o vill - Khaspur, P.s. - Maner, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudal Singh, Adv

For the Opposite Party/s : Mr.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Special Excise Case No. 2673 of 2023 arising out of Danapur
P.S. Case No. 1133 of 2023 registered on 24.08.2023 lodged
under Sections 30(a), 41, 56 of the Bihar Prohibition and Excise
Act (Amendment), 2018.

3. As per the prosecution case, F.I.R. has been lodged
against two named accused persons including the petitioner and
recovery of 150 litre of illicit liquor is the subject matter of this
case.

4. Counsel for the petitioner submits the said recovery
is from auto-rickshaw not from the possession of the petitioner.
Counsel further submits that petitioner is innocent and has



committed no offence. He further submits that petitioner is in custody since 25.08.2023 having three criminal case pending against him, in which he is on bail.

5. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner shall be taken into consideration at the time of granting bail.

6. 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 Special Excise Judge, Danapur in connection with Special Excise Case No. 2673 of 2023 arising out of Danapur P.S. Case No. 1133 of 2023 subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(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.

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

(Dr. Anshuman, J)

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