

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73368 of 2023

Arising Out of PS. Case No.-434 Year-2023 Thana- BHORE District- Gopalganj

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AMIT RAM SON OF DINDAYAL RAM RESIDENT OF VILLAGE-
DUMAR NARENDRA, PS- BHORE, DIST- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Setu Prateek, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-11-2023 The petitioner is cautious in future in incorporating the criminal antecedent of the petitioner when the learned APP has pointed out that in the ordersheet itself, it is clear that the petitioner is having criminal antecedent.

2. Heard the parties.

3. The petitioner is in custody in connection with Bhore P.S. Case No. 434 of 2023 for the offence under sections 30(a) of Bihar Prohibition and Excise Amendment Act, 2018 lodged on 02.09.2023 by the informant, Ashok Kumar.

4. As per the prosecution story, the allegation against the petitioner is that the police intercepted a Scooter and 68 liters of country made liquor recovered/seized which followed the arrest of the petitioner.

5. Learned counsel for the petitioner submits that the



vehicle does not belong to the him, only because of criminal antecedent, he has been implicated, being a pillion rider, has already suffered by being in custody since 03.09.2023 (as stated in paragraph 10 of the petition).

6. Learned APP opposes the prayer for bail.

7. Taking into account the aforesaid submissions put forward by the learned counsel for the parties as also the fact that he is in custody since 03.09.2023, FIR lodged and will ultimately have to face the trial, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District Judge-II-cum-Special Judge Excise Court No.-1, Gopalganj, in connection with Bhore P.S. Case No. 434 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/her 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(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 his bail bonds.

9. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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