

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73315 of 2023

Arising Out of PS. Case No.-208 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

JAYANT KUMAR S/O SUNIL PRASAD YADAV VILLAGE- SUKHASAN,
WARD NO. 10, PS. SINGHESHWAR, DIST. MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-11-2023 Heard the parties.

2. The petitioner is an accused in connection with Special Case No. 417 of 2023 arising out of Kochadhaman P.S. Case No. 208 of 2023 registered for the offences under sections 420, 467, 468, 471 and 34 of the Indian Penal Code and sections 30(a), 32, 41 and 47 of the Bihar Prohibition and Excise Act lodged on 30.08.2023 by the informant, Ajay Kumar Gupta.

3. As per the prosecution story, the police intercepted a car and recovered/seized 94.530 litres of foreign liquor. Accordingly, the FIR and arrest.

4. Learned counsel for the petitioner submits that the car belong to one Ankesh Kumar Yadav, he had only taken a lift in the car and got implicated and is in custody since 31.08.2023 (as stated in paragraph 13 of the bail application).



5. Learned APP for the State, on the other hand, opposes the prayer for bail.

6. Considering the submissions put forward by the parties as also period of custody and the fact that he do not have criminal antecedent, this Court is inclined to extend him privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned A.D.J.-II-cum-Special Judge (Excise)-1, Kishanganj in connection with Special Case No. 417 of 2023 arising out of Kochadhaman P.S. Case No. 208 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 *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 next six months to mark



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 his 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.

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

(Rajiv Roy, J)

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