

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72981 of 2023

Arising Out of PS. Case No.-114 Year-2023 Thana- ARA RAIL P.S. District- Bhojpur

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PUSHPENDRA KUMAR @ PUSHPE SANDRA KUMAR SINGH @
PUSHPENDRA KUMAR SINGH S/O JAWAHAR SINGH R/O VILLAGE-
SARA, WARD NO. 13, P.S- TARARI, DISTT.- BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta

For the Opposite Party/s : Mr.Meena Singh

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-11-2023 Heard the parties.

2. The petitioner is in Judicial custody in connection with Ara Rail P.S. Case No. 114 of 2023 instituted under Section 30(a) of Bihar Prohibition and Excise (Amendmnt) Act, 2018 lodged on 30.07.2023 by the informant, Chetram Mina.

3. As per the prosecution story, the police upon information of arrival of liquor by a train went to the place and found accused persons alighting from the train. Upon search, 57 litres of foreign liquor recovered from the three accused persons and from this petitioner, it is alleged that 22.5 litres foreign liquor recovered. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that the police has implicated him in the matter for which he has already



suffered by being custody since 30.07.2023 (para 15 of the bail petition. Further, he do not have criminal antecedent.

5. Learned APP opposes the prayer for bail

6. Considering the submission put forward by learned counsel for the petitioner as also the fact that the petitioner do not have criminal antecedent and is in custody since 30.07.2023, this Court is inclined to grant him privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court Ist, Bhojpur at Ara, in connection with Ara Rail P.S. Case No. 114 of 2023 subject to 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 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 the bail bonds.

(Rajiv Roy, J)

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