

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 73251 of 2023

Arising Out of PS. Case No.-912 Year-2023 Thana- Excise P.S. District- West Champaran

RAJA BABU KUMAR S/O SURESH SAH R/O VILLAGE- BARWACHAP,
P.S.- CHANPATIYA, DISTRICT-WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms Bharti Rai, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-11-2023 Heard Ms. Bharti Rai, learned counsel for the

petitioner and Mr. Jitendra Kumar Singh, learned APP for the

State.

2. The petitioner is in custody in connection with
Excise P.S. Case No. 912 of 2023 for the offence under sections
30(a)/47 of Bihar Prohibition and Excise Act lodged on
07.09.2023 by the informant, Nagendra Prasad.

3. As per the prosecution story, the police intercepted
a Hundai EON car and recovered/seized 86.4 liters of foreign
liquor. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the
car belongs to the 2nd accused, Israil Ansari, he was present in
the car but had no knowledge about the presence of liquor in it.
Further, he do not have criminal antecedent and has remained in



custody since 07.09.2023 (as stated in paragraph 10 of the petition).

5. Learned APP opposes the prayer for bail stating that he was present in the car when it was intercepted and recovery made.

6. Taking into account the aforesaid submissions put forward by the learned counsel for the petitioner as also the fact that the car belongs to Israil Ansari, he is in custody since 07.09.2023 that do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. 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 Exclusive Special Judge, Excise, Bettiah, West Champaran/Successor Court, in connection with Excise P.S. Case No. 912 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.

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

(Rajiv Roy, J)

kiran/-

U		T	
---	--	---	--

