

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4869 of 2024

Arising Out of PS. Case No.-1950 Year-2023 Thana- Excise P.S. District- Gaya

Indrajeet Kumar Son Of Jagnarayan Kumar @ Jay Narayan Kumar Resident
Of Village - Diyawa Bari Bigha @ Diwan Badi Bigha, P.S. - Karai Parshurai,
District - Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate
For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Excise P.S. Case No.1950 of 2023, lodged on 07.11.2023, under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2018 .

3. As per the prosecution, total recovery of 189 liters
of foreign liquor has been the subject matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is the passenger of the vehicle from which the
recovery has been made. Counsel submits that the petitioner is
innocent and has committed no offence. The petitioner is in
custody since 07.11.2023 and is accused in two more excise



cases, in which he is on bail.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case, let the petitioner, above named, be granted bail **only after framing of the charge and upon satisfaction of the Court that he is not absconding in rest two criminal cases, i.e., Karai Parsurai P.S. Case No.80 of 2017 and Karai Parsurai P.S. Case No.112 of 2017**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court No.3, Gaya, in connection with Excise P.S. Case No.1950 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other 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 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.

(Dr. Anshuman, J)

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