

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4572 of 2024

Arising Out of PS. Case No.-765 Year-2023 Thana- Excise P.S. District- Buxar

Md. Jawed S/O Sabir Ahmad VILLAGE- GOSAI TOLA, PS. PATLIPUTRA,
DIST. PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-02-2024 No one appears on behalf of the petitioner.

2. The petitioner is in judicial custody in connection with Excise (Buxar) P.S. Case No. 765 of 2023 for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act lodged on 6.12.2023 by the informant, Suraj Kumar.

3. As per the prosecution story, the police on secret information, a Honda City Car was intercepted and 108 liters of foreign liquor recovered/seized. Accordingly, the FIR.

4. As per the petition, the petitioner was passing through the road little realizing that a car has been intercepted and liquor has been recovered. The accused persons escaped while he was apprehended.

5. Learned APP opposes the prayer for bail.

6. Taking into account the aforesaid facts as also that



he do not have criminal antecedent and is in custody since 6.12.2023 (para-4 of the petition), 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) with two sureties of like amount each to the satisfaction of learned Special Excise Court No. 2, Buxar, in connection with Excise (Buxar) P.S. Case No. 765 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 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)

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