

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7875 of 2024

Arising Out of PS. Case No.-95 Year-2022 Thana- PIRI BAZAR District- Lakhisarai

Bikash Kumar @ Bikash Yadav, aged about 22 years (Male), Son Of Pawan
Yadav R/O-Lahsorwa, P.S.-Piribazar, Distt.-Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Prasad, Advocate
For the Opposite Party/s	:	Mr. Md. Nazir Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 12-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Piribazar P.S. Case No. 95 of 2022 for the offence punishable
under Section 30(a) (b)(c) of Bihar Prohibition and Excise
Amendment Act, 2018.

3. As per allegation in the FIR, total 60 liters of
mahua liquor was recovered from a bank of river Amar Sant.

4. Learned counsel for the petitioner submits that pe-
titioner has falsely been implicated in this case. He further sub-
mits that nothing has been recovered from the possession of the
petitioner, similarly situated co-accused has already been
granted regular bail by a Co-ordinate Bench of this Court in Cr.



Misc. No. 10161 of 2023 vide order dated 03.05.2023 and he is in judicial custody since 20.09.2023.

5. However, learned APP for the State opposes the prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-IV-cum-Special Excise Court-I, Lakhisarai in connection with Piribazar P.S. Case No. 95 of 2022 with following conditions:-

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.



(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has cancelled his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(vi) In case, the petitioner repeat offence of similar nature after enlargement on bail, his bail bonds will be cancelled by the court below.

However, the court below is directed to conclude the framing of charge according to law within a period of fifteen days from the date of receipt of this order.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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