

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 27479 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- Excise P.S. District- Siwan

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Ajay Kumar Ray S/o Rameshwar Ray R/O VILLAGE - BAIJU BARHOGA,
P.S. - BASANTPUR, SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh,
For the Opposite Party/s : Mr. Upendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 26-07-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Maharajganj P.S. Case No. 32 of 2024 for the offence punishable under section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 lodged on 14.03.2024 by the informant, Anoop Kumar.

3. As per the prosecution story, the informant alleged that upon secret information, a pick-up van was intercepted and 578.880 liters country made liquor recovered/seized. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he does not own the vehicle nor is the driver and only due to enmity, he has been picked up. Further, he do not have criminal antecedent.



5. Learned APP opposes the prayer for bail submitting that his name has cropped up as the person who escaped.

6. Taking into account the submissions put forward by the parties as also the fact that he is neither the owner nor the driver of the vehicle and 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 Court No.-II, Siwan, in connection with Maharajganj P.S. Case No. 32 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative 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.

(Rajiv Roy, J)

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