

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45967 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- SANHAULA District- Bhagalpur

Ram Prasad Kumar Singh S/O- Sukhdev Singh R/O - Hadodih, P.S-
Bengabad, Dist - Girdih , Jharkhand- 815312

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Mohan, Adv.

Mr. Ritik Shah, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

7 18-09-2024

Heard Mr. Ritik Shah, learned counsel for the

petitioner and the State.

2. The petitioner is in custody in connection with Sanhaula P.S. Case No. 15 of 2024 for the offence punishable under sections 30(a) of the Indian Penal Code lodged on 29.01.2024 by the informant, Shankar Kumar.

3. As per the prosecution story, the informant alleged that during raid, this petitioner along with Ashok Kumar were caught on a motorcycle with 54 litres of country made liquor. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the motorcycle does not belong to him but he has been taken into custody despite having no criminal antecedent and he is in jail



since 30.01.2024 (para 18 to the petition).

5. Learned APP opposes the prayer for bail.

6. Taking into account the period of his custody (30.01.2024) as also that the petitioner 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 Special Excise Judge, Bhagalpur in connection with Sanhaura P.S. Case No. 15 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)

Vijay Singh/-

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