

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40260 of 2024

Arising Out of PS. Case No.-203 Year-2019 Thana- BIDUPUR District- Vaishali

Abhay Kumar @ Abhay Kumar Singh Son Of Late Jai Govind Singh @ Jai
Vinod Singh @ Jay Vinod Prasad Resident Of Village - Maiel, Police Station -
Bidupur, District - Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 19-07-2024 Heard the learned counsel for the petitioner and
learned counsel for the State.

2. The petitioner is in custody since 05.05.2022 in
connection with Bidupur P.S. Case No. 203/2019 registered for
offences under Sections 30(a)/41 of the Bihar Prohibition and
Excise (Amendment) Act, 2016.

3. Earlier the petitioner was granted bail vide order
dated 20.08.2022 in Cr. Misc. No. 35801 of 2022 which reads as
follows:-

*Heard learned counsel for the petitioner and
learned APP for the State.*

*The petitioner is in custody since 05.05.2022 in
connection with Bidupur P.S. Case No. 203/2019
registered for offences under Sections 30(a) of the
Bihar Prohibition and Excise (Amendment) Act,*



2016.

There is recovery of 3584.880 litres of country made liquor from pickup a van. The petitioner was the driver of the vehicle.

Considering the fact that the petitioner has clean antecedent and he is in custody since 05.05.2022 he shall be released on bail after framing of charge or on completion of one year in custody whichever is later, on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No-1- Cum Additional District & Sessions Judge, Hajipur at Vaishali in connection with Bidupur P.S. Case No. 203/2019.

The petitioner will visit the concerned Police Station on the first Sunday of each month. Any default in appearance at the police station would result in cancellation of bail bond of the petitioner

4. There is recovery of 3584.880 litres of country made liquor from pick up van. The petitioner was the driver of the vehicle.

5. The petitioner was released before time therefore, he has surrendered subsequently and has remained in custody for more than 15 months.

6. Considering the period of custody, this application for regular bail is allowed.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand)



with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1 cum Additional District and Sessions Judge, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 203/2019.

8. This is also subject to the condition that the petitioner shall also deposit an amount of Rs. 50,000/- (Rupees Fifty Thousand Only) in Ramkrishna Mission Sevashrama, Swami Vivekananda Path, Bela, Muzaffarpur, Bihar, 843116 and produce the receipt of the same before the Court below. The bail bonds of the petitioner shall be accepted after verifying the genuineness of the receipt produced by the petitioner.

9. The petitioner shall visit Bidupur Police Station on the first & third Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.

(Sandeep Kumar, J)

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