

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46324 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- Lokha District- Supaul

Suraj Kumar Yadav @ Suraj Kumar Son of Sanjay Kumar Yadav R/O Vill.-
Ithari Ward no. 5, P.S.- Supaul, Dist.- Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Patla Kumari, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 18-09-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with ST Excise Case No. 407 of 2024 arising out of Laukaha PS Case No. 15 of 2024 for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise Act, 2018 and under sections 25(1-B)/A/26/35 Arms Act lodged on 11.04.2024 by the informant, Mahendra Ram.

3. As per the prosecution story, upon information, the police caught this petitioner while other accused persons managed to escape. From his belonging a country made revolver recovered/seized and further 5 litres of country made liquor in a gallon and 50 litres in a drum were seized/recovered. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that



earlier he was made accused under the Excise Act and the *Chowkidar* due to enmity once again implicated him, he has no role to play in the matter but has remained in custody since 12.04.2024 (para-11 of the petition).

5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Taking into account the aforesaid facts/submission as also his period of custody, FIR lodged, he will be facing trial, this Court is inclined to extend his the privilege of bail.

7. Let the petitioner, above named, 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 Judge (Excise-1), Supaul in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors 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 petitioners shall appear before the concerned



police station every month for next one year 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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