

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46478 of 2024

Arising Out of PS. Case No.-274 Year-2024 Thana- Excise P.S. District- Nawada

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Sanni Kumar Sanjay Prasad VILLAGE-RAYPUR, P.S.- FATUHA, DISTT.- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 18-09-2024 Heard the parties.

2. The petitioner is in custody in connection with Excise Nawada P.S. Case No. 274 of 2024 for the offence punishable under sections 30(a) and 47 of the Bihar Prohibition & Excise Amendment Act lodged on 10.04.2024 by the informant, Pintu Kumar.

3. As per the prosecution story, the informant alleged that during the checking and upon secret information, the Bolero vehicle was intercepted and 1800 liters of liquor recovered/seized. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he is not the owner of the vehicle, is a driver and had no knowledge about the presence of liquor in the vehicle and do not have any criminal antecedent. Further, the last submission is that without



accepting the allegation, the petitioner intends to deposit Rs. 10,000/- with the District Legal Services Authority, Nawada (for purchase of journals).

5. Learned APP opposes the prayer for bail submitting that huge quantity of foreign liquor was recovered/seized.

6. Though there is recovery of 1800 liters of foreign liquor, he has remained in custody since 11.04.2024 (paragraph-4 of the petition), do not have criminal antecedent, charge-sheet has already been submitted and as undertaken by the learned counsel for the petitioner, on instruction, that he will be diligently appearing in trial, this Court is inclined to extend him the privilege of bail with conditions subject to payment of Rs. 10,000/- to the District Legal Services Authority, Nawada (for the purchase of journals) as undertaken by the learned counsel for the petitioner.

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 Judge, Exclusive Special Judge, Excise-2, Nawada, in connection with Excise Nawada P.S. Case No. 274 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 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)

Adnan/-

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