

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46152 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- Excise P.S. District- Saran

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1. Manoj Thakur S/O Ambika Thakur @ Amika Thakur R/O Village-Kauriya
Purbari More,P.S.-Madhuban,Distt-East Champaran
 2. Navin Kumar Giri S/O Shiv Narayan Giri R/O Lalgargh Tola,Jimi Singh,P.S.-
Shampur Bhara,Distt-Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha, Adv.

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 18-09-2024

Heard the parties.

2. The petitioners are in judicial custody in connection with Sadar Excise P.S. Case No. 68 of 2024 for the offences punishable under Sections 30(a), 32(3) of Bihar Prohibition and Excise Act lodged on 13.03.2024 by the informant, Mantu Das.

3. As per the prosecution story, the informant on secret information about transportation of liquor intercepted an Urban Cruiser Car and recovered/seized 225 litres foreign liquor. Accordingly, the FIR.

4. Accordingly to the learned counsel for the petitioners, though in the FIR they have been clubbed as drivers, they are neither the owners nor the drivers and only due to certain issues with the police implicated them in this case. They



have also remained in custody since 14.03.2024 (para-9 of the petition) despite having no criminal antecedent.

5. Learned APP opposes the prayer submitting that 225 litres of illicit liquor has been recovered.

6. Taking into account the aforesaid facts as also their period of custody and further they do not have criminal antecedent, this Court is inclined to extend them the privilege of bail.

7. Let the petitioners, above named, 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 3rd Exclusive Special Excise Court, Saran at Chapra in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member of the petitioners who shall provide official document to show their bona fide;

(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned



police station every month for next six months to mark their attendance;

(iv) the petitioners 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 petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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