

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49411 of 2024

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

Mantosh Singh @ Mantosh Kumar Singh Son of Suresh Singh @ Suresh Prasad Singh Resident of Vill- Gospur, P.S.- Dalsinghsarai, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-08-2024 Heard Mahendra Pratap, learned counsel for the petitioner and Mr. Jitendra Kumar Singh, learned APP for the State.

2. The petitioner is apprehending arrest in connection with Patori Excise P.S. Case No. 68 of 2024 instituted under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 lodged on 07.06.2024 by the informant, Niranjana Kumar.

3. As per the prosecution story, the informant upon information, intercepted a motorcycle and recovered/seized 3.600 liters of foreign liquor. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he is not the owner of the said vehicle nor anything recovered from his conscious possession and further he do not have criminal



antecedent.

5. Learned APP opposes the prayer submitting that his name has come in the FIR.

6. Taking into account the aforesaid facts as also that the petitioner do not have criminal antecedent and the vehicle does not belong to him, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Patori Excise P.S. Case No. 68 of 2024 to the satisfaction of learned Special Judge Excise-II, Samastipur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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 next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(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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