

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50400 of 2024

Arising Out of PS. Case No.-313 Year-2024 Thana- NARPATGANJ District- Araria

Md. Khalid @ Khalid @ Munna, son of Late Nizamuddin @ Nizam, village-
Madhura, North W.No-13, P.S.- Narpatganj, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-07-2024 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State.

2. This is an application for grant of bail to the petitioner, who is made accused and put behind the bars in connection with Narpatganj P.S. Case No. 313 of 2024, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. In course of patrolling, the police on a secret information apprehended the petitioner, who was riding on a motorcycle. On search total 30 litres of illicit liquor was recovered.

4. Learned Advocate for the petitioner submits that in fact on account of the past criminal antecedent of the petitioner, in identical matters, his name has been implicated in this case.



On the alleged date of occurrence, the police in course of patrolling apprehended the petitioner with the motorcycle, however, only on suspicion, his name has been implicated showing recovery from his possession; which fact has been specifically denied by the petitioner. It is further contended that so far the seized motorcycle is concerned that owns to the wife of the petitioner, namely, Gulshan Khatoon. Now the petitioner is in custody since 10.06.2024 and after completion of investigation, charge-sheet has been submitted.

5. On the other hand, learned APP for the State opposes the bail application and submits that the petitioner is a habitual offender, facing five criminal cases of identical nature.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the investigation of the crime is complete and charge-sheet has been submitted, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-I, Araria in connection with Narpatganj P.S. Case No. 313 of 2024, subject to the condition that one of the bailors shall be the own/close family



members of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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