

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51499 of 2024

Arising Out of PS. Case No.-75 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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Sanjay Tuddu Son Of Ramsani Tuddu Resident Of Village - Pirauta, P.O. -
Ramchandrapur Ithari, Police Station - Amarpur, District - Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Mukherjee, Advocate
For the State	:	Mr. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Excise Case P.S. Case No. 75 of 2021 for the offence under Section 30(a) of Bihar Prohibition & Excise Act lodged on 07.07.2021 by the informant, Manish Kumar Saxena.

3. As per the prosecution story, the informant alleged that while patrolling, he tried to intercept a motorcycle. Though, the accused managed to escape, he abandoned the motorcycle from which 25.200 liters of illicit country made liquor recovered/seized. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that he has no role to play in the matter, the petitioner's name has come only because the vehicle belongs to him which was taken by one



or his friend. The further submission is that he had no knowledge of the lodging of the F.I.R. which delayed coming to the Court. The last submission is that he do not have criminal antecedent.

5. Learned APP opposes the prayer submitting that he owns the motorcycle.

6. Considering the submissions put forward by the parties as also that the petitioner do no have criminal antecedent, his name has come only because of the fact that he owns the motorcycle and has further undertakes to diligently appear the in trial, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge 5th -cum-Special Judge Excise Court-2, Banka, in connection with Excise Case P.S. Case No. 75 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with 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 next six months 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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