

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51684 of 2024

Arising Out of PS. Case No.-123 Year-2023 Thana- JIRADEI District- Siwan

Sujit Ram Son of Hari Charan Ram R/o Village - Ziradei, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

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

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 Ziradei P.S. Case No. 123 of 2023 for the offence under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 29.10.2023 by the informant, Kumar Rajeev Raushan.

3. As per the prosecution story, the informant alleged that upon secret information, a motorcycle was intercepted, though the accused managed to escape, but the motorcycle was abandoned and from it 72 liters of country made liquor recovered/seized. The local gave the names of those who escaped as Sujit Ram (the petitioner herein) and Umesh Sah. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he is



not the owner of the vehicle, implicated only because he has criminal antecedent, the locals due to enmity named him and he will be diligently appearing in trial.

5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Taking into account the fact that the petitioner does not own the vehicle, nothing has been recovered from his conscious possession and he has undertaken to diligently appear in trial, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

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 Exclusive Special Excise Court No. 1, Siwan in connection with Ziradei P.S. Case No. 123 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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)

Adnan/-

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