

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61034 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- BHAWANIPUR District- Purnia

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Sujeet Kumar Son of Rajeev Kumar @ Rajeev Sah Resident of Dhattatola,
P.S.- Bhawanipur, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate
For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-09-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bhawanipur P.S. Case No. 68 of 2024 for the offence under Sections 272 and 273 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, lodged on 16.03.2024, by the informant, Janardan Prasad.

3. As per the prosecution story, the informant alleged that upon secret information that the petitioner's father is in the liquor business, the house was searched there was recovery of 13.500 liters liquor from the car park there as also 2.25 liters from the bike, totalling 15.750 liters liquor. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that as per the F.I.R., the police had the information about his father



who is already in custody, he is a student and as the vehicle was in his name, the F.I.R.

5. Learned APP opposes the prayer submitting that the vehicle from which recovery has been made was registered in the name of the petitioner.

6. Taking into account the aforesaid facts as also the age of the petitioner, do not have criminal antecedent and his father is in custody, 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) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Court no.2, Purnea, in connection with Bhawanipur P.S. Case No. 68 of 2024, 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/her 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/her bail bonds.

(Rajiv Roy, J)

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