

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59370 of 2024

Arising Out of PS. Case No.-108 Year-2024 Thana- KOPA District- Saran

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Jai Prakash Singh Son of Late Shiv Shankar Singh Resident of Village -
Mazlishpur, P.S. - Kopa, District - Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Rajani Kumari, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-09-2024 Heard Ms.Ms.Rajani Kumari, learned counsel for the

petitioner and Mr.Uday Chand Prasad, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
28.06.2024 in connection with Kopa P.S. Case No. 108 of 2024,
F.I.R. dated 28.06.2024 registered for the offence punishable
under Section 30(a) of Bihar Prohibition and Excise Act.

3. Recovery is of 100 liters of illicit country made
liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. Further submits that from a bare perusal of the FIR
it appears that altogether 100 liters of illicit country made liquor
was recovered from the motorcycle in question and the



petitioner was apprehended alongwith co-accused person, namely, Rajnath Ray there is non-compliance of Section 100 of Cr.P.C. and the petitioner is in custody since 28.06.2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner was apprehended alongwith the illicit liquor and apart from that, the petitioner carries five more cases of similar nature other than the present one but he fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Exclusive Special Excise Court, Saran at Chapra in connection with Kopa P.S. Case No. 108 of 2024, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(III) And, further condition that 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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