

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69479 of 2024

Arising Out of PS. Case No.-245 Year-2024 Thana- NAUTAN District- West Champaran

Vikash Kumar S/o Nagendra Thakur R/o Village- Mathurapur Math Gopal,
P.S.- Piparakothi, Dist.- East Champaran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva

For the Opposite Party/s : Mr. Kanhiya Kishor

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-10-2024 Heard the parties.

2. The petitioner is in custody in connection with Nautan P.S. Case No. 245 of 2024 for the offence punishable under section 30(a) of Bihar Prohibition and Excise Act, lodged on 05.07.2024 by the informant, Rajaram Kumar.

3. As per the prosecution story, the informant alleged that while patrolling, upon confidential information, a motorcycle was intercepted and recovery/seizure is 10.800 liters of foreign liquor. Accordingly, the F.I.R. and the arrest of of the accused.

4. Learned counsel for the petitioner submits that the motorcycle does not belong to him, he was passing by and got implicated, do not have criminal antecedent and he is in custody since 16.08.2024 (paragraph no.8 of the petition).



5. Learned APP opposes the prayer.

6. Considering the fact that the motorcycle does not belong to him, he do not have criminal antecedent and remained in custody since 16.08.2024, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail 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-1st, Bettiah, West Champaran, in connection with P.S. Case No. 245 of 2024, subject to 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 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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