

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70296 of 2024

Arising Out of PS. Case No.-433 Year-2024 Thana- HARSIDHI District- East Champaran

Ramadhar Singh Son of Late Jagarnath Singh Resident of Village-
Bahurupiya, P.S.- Turkauliya, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the State : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Harsidhi P.S. Case No. 433 of 2024 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 08.08.2024 by the informant, Subodh Kumar Singh.

3. As per the prosecution story, the informant alleged that in course of patrolling two persons were apprehended with motorcycle and there is recovery/seizure of 3.6 liters of foreign liquor from the dickey. Accordingly, the F.I.R.

4. It is the case of the petitioner that the motorcycle does not belong to him and has been implicated due to criminal antecedent.

5. Learned APP for the State opposes the prayer



submitting that when the motorcycle was intercepted the petitioner was also riding it.

6. Taking into account the aforesaid submissions as also the fact that the motorcycle does not belong to the petitioner and he is in custody since 09.08.2024 (paragraph no.1 of the petition) 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 Excise Court No.-1, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 433 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 *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court 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 now 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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