

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67775 of 2024

Arising Out of PS. Case No.-165 Year-2024 Thana- DEV District- Aurangabad

Raushan Kumar Son of Late Bhola Choudhary Resident of Village- Kataki,
PS- Deo, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhuresh Singh, Advocate
For the State : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-10-2024 Heard the parties.

2. The petitioner is in custody in connection with Deo P.S. Case No. 165 of 2024 for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act lodged on 01.08.2024 by the informant, Kunal Kumar.

3. As per the prosecution story, the informant alleged that on secret information, the motorcycle was intercepted and 5 liters of mahua recovered/seized beside the motorcycle and the accused was arrested. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that owner of the seized vehicle is Jugal Yadav who is friend of co-accused Ravi Ranjan, he has nothing to do with it nor had any knowledge of presence of liquor in the motorcycle for which he has remained in custody since 02.08.2024 (paragraph no.15 of



the petition).

5. Learned APP opposed the prayer submitting that he has criminal antecedent of the same nature.

6. Though the petitioner has criminal antecedent, he has remained in custody since 02.08.2024, 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 Special Judge, Excise-I, Aurangabad, in connection with Deo P.S. Case No. 165 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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