

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69954 of 2024

Arising Out of PS. Case No.-92 Year-2024 Thana- ROSHANGANJ District- Gaya

- 1. Ravindra Kumar S/o- Late Naresh Paswan RO Village- Karmain, PS-Amas District- Gaya
- 2. Anuj Pumar Son of Sanjay Paswan RO Village- Karmain, PS-Amas District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 70400 of 2024

Arising Out of PS. Case No.-92 Year-2024 Thana- ROSHANGANJ District- Gaya

Rakesh Yadav @ Saket Yadav @ Sakest Yadav S/O Sahadeo Yadav R/O Village- Kosamhi, P.S- Hunterganj, Distt.- Chatra (Jharkhand)- 825401.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 69954 of 2024)
For the Petitioner/s : Mr. Ajay Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP
(In CRIMINAL MISCELLANEOUS No. 70400 of 2024)
For the Petitioner/s : Mr. Sunil Kumar Yadav, Adv.
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-10-2024 Heard the parties.

2. The petitioners are in custody in connection with Raushanganj P.S. Case No. 92 of 24 for the offence punishable under sections 317(5) of the Bhartiya Nyay Sanhita, 2023 and section 30 of Bihar Prohibition and Excise Act 2016 lodged on



18.08.2024 by the informant, Subodh Ram.

3. As per the prosecution story, the informant alleged that upon secret information, four different motorcycles were intercepted and there is recovery of 410 liter local Mahua which followed their arrest since 19.08.2024.

4. Learned counsel for the petitioners jointly submit that they don't own the motorcycle, were pillion rider, do not have criminal antecedent and only because sitting on the motorcycle, implicated.

5. Learned APP opposes the prayer for bail submitting that they were riding the motorcycle from which the recovery has been made.

6. Considering the aforesaid submissions put forward by the parties as also the fact that all the petitioners in the present case do not own the motorcycles, have no criminal antecedent and are in custody since 19.08.2024, this Court is inclined to extend them the privilege of bail with conditions.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Court No.-V-Gaya, in connection with Raushanganj P.S. Case No. 92 of 24 subject to the following



conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners 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 petitioners shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioners 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 petitioners 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)

Vijay Singh/-

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