

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70052 of 2024

Arising Out of PS. Case No.-207 Year-2024 Thana- Excise P.S. District- East Champaran

1. Ranjan Kumar S/O- Parveen Paswan Village- Govindapur, Ward No.-13 P.S.-Harsidhi, District-East Champaran.
2. Abhinandan Kumar S/O- Sharnbhu Singh Village- Dhiwadhar, Ward No.-8 P.S.-Harsidhi, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the State : Mr. Anil Kumar Singh No. 1, 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 Excise (Areraj) P.S. Case No. 207 of 2024 for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, lodged on 21.08.2024 by the informant, Raj Kumar.

3. As per the prosecution story, the informant alleged that upon secret information, a motorcycle was intercepted and from it there is recovery of 50 liters of country made liquor. F.I.R. lodged, the petitioners was arrested.

4. Learned counsel for the petitioners submit that they are young students, nothing to do with the alleged recovery, only because of earlier criminal antecedent they have been taken



into custody and are in jail since 21.08.2024 (paragraph no.13 of the petition).

5. Learned APP opposed the prayer submitting that they have criminal antecedent.

6. Considering the aforesaid submissions put forward by the parties as also the fact that nothing has been recovered from their conscious possession, the motorcycle belongs to the brother of the petitioner no.1, have remained in custody since 21.08.2024, this Court is inclined to extend him the privilege of bail.

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 Judge Court-2, East Champaran, Motihari, in connection with Excise (Areraj) P.S. Case No. 207 of 2024, 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 their bail bonds.

(Rajiv Roy, J)

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