

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69949 of 2024

Arising Out of PS. Case No.-1390 Year-2024 Thana- Excise P.S. District- East Champaran

DEEPAK KUMAR SON OF SURENDRA RAI @ SURENDRA RAY R/O
VILL.- MAHANG TOLA BHADHA @ MAHANG TOLA BHADAHAR,
P.S.- CHIRAIYA, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra, Adv.

Mr. Bipin Kumar, Adv.

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-10-2024 Heard Mr. Bipin Kumar, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with
Motihari Excise P.S. Case No. 1390 of 2024 for the offence
punishable under sections 30(a) of Bihar Prohibition & Excise
lodged on 23.08.2024 by the informant, Mukesh Kumar.

3. As per the prosecution story, upon information, the
vehicle was intercepted and there is recovery of 225 litre Nepali
liquor. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the
car does not belong to him, only because he was a rider,
implicated. Further, he do not have criminal antecedent.

5. Learned APP opposes the prayer for bail.



6. Considering the fact that the petitioner does not own the motorcycle and he do not have criminal antecedent, has remained in custody since 24.0.2024, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner 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 Executive Special Excise Court No. 2, East Champaran, Motihari in connection with Motihari Excise P.S. Case No. 1390 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)

Vijay Singh/-

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