

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70247 of 2024

Arising Out of PS. Case No.-230 Year-2024 Thana- JOGAPATTI District- West Champaran

Raushan Patel @ Raushan Kumar Patel Son of Suresh Patel Village-
Dhadhava Bhavanipur, PS- Navalpuur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate
For the State : Mrs. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-10-2024 Heard the parties.

2. The petitioner is in custody in connection with Yogapatti P.S. Case No. 230 of 2024 for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, lodged on 12.07.2024 by the informant, Manoj Kumar.

3. As per the prosecution story, the informant alleged that upon information that three persons are coming on motorcycle along with the liquor, the police went there and found three motorcycles, two of which had sacks tagged to it, as it was intercepted, while one motorcycle manage to escape, the other two were intercepted and Manish Kumar and Krishna Kumar were arrested. There is total recovery of 97.200 liters of foreign liquor. Both the arrested persons gave the name of this petitioner as the person who escaped. Accordingly, the F.I.R.



4. Learned counsel for the petitioner submits that he had given the motorcycle to Ashok Yadav and being the owner, implicated and is in custody since 22.07.2024 (paragraph no.20 of the petition).

5. Learned APP opposed the prayer submitting that the accused persons have named him.

6. Taking into account the submissions put forward by the parties as also that he has remained in custody since 22.07.2024 and as undertaken will diligently appear in trial, 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 Judge, Excise-II, Bettiah, West Champaran, in connection with Yogapatti P.S. Case No. 230 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 one year 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)

vinayak/-

U		T	
---	--	---	--

