

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70640 of 2024

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

Krishna Kumar S/O Sri Vidya Prasad Resident of village- Piparahiya, P.S-
Nawalpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharad Kumar Verma

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

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, but this petitioner was arrested on the spot. There is total recovery of 97.200 liters of foreign liquor. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that due to his criminal antecedent, implicated. He further submits that



he is not the owner of the vehicle from which the recovery/seizure has been made, he is in custody since 13.07.2024 (paragraph no.4 of the petition) and he further undertake to appear diligently in trial.

5. Learned APP opposes the prayer for bail.

6. Taking into account the submissions put forward by the parties, his period of custody since 13.07.2024 and the vehicle does not belong to him, 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, West Champaran, Bettiah, 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			
---	--	--	--

