

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74229 of 2024

Arising Out of PS. Case No.-254 Year-2024 Thana- BARHARA District- Bhojpur

Vimlesh Kumar @ Bimlesh Kumar @ Bimlesh Singh S/O Hari Saran Singh
@ Late Hari Sharan Singh R/o - Lauhar Sripal, P.S - Barhara, District -
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar, Advocate

For the Opposite Party/s : Ms.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Barhara P.S. Case No. 254 of 2024 for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 lodged on 24.08.2024 by the informant, Jeni Kumari.

3. As per the prosecution story, the police during patrolling intercepted a tempo as also a motorcycle and there is recovery of 200 liters of country made Mahua liquor from the tempo and 50 liters of country made Mahua liquor. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he being the owner, implicated. The passengers carrying baggage



disappeared resulting into his coming into judicial custody and is in jail since 25.08.2024 (para-16 of the petition). Last submission is that he do not have criminal antecedent.

5. Learned APP Ms. Sucheta Yadav opposes the prayer submitting that the petitioner being the owner cannot exonerate himself from the responsibility.

6. Taking into account the submissions put forward by the parties as also the fact that he do not have criminal antecedent and has undertaken to appear diligently in trial, 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) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge Excise Court 1st, Bhojpur at Ara/concerned Court, in connection with Barhara P.S. Case No. 254 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 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 next 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)

Ravi/-

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

