

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74240 of 2024

Arising Out of PS. Case No.-155 Year-2024 Thana- AMBA District- Aurangabad

Sourabh Kumar S/O Late Bijendra Giri Resident of Village- Padmanbigha,
P.S.- Dhibra, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, 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 Amba P.S. Case No. 155 of 2024 for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act lodged on 28.07.2024 by the informant, Pankaj Kumar Jha.

3. As per the prosecution story, the police upon regular checking, intercepted an Alto Car and recovered/seized 86.03 liters of country made liquor. The driver Ramesh Kumar escaped while this petitioner was arrested. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he is not the owner of the car, only 19 years of age, is a student having no criminal antecedent and is in custody since 29.07.2024 (para-4 of the petition).



5. Learned APP opposes the prayer that when the recovery/seizure made, the petitioner was in the car.

6. Taking into account the aforesaid submission put forward by the parties as also that the petitioner is not the owner of the said car, 19 years of age having no criminal antecedent and is in custody since 29.07.2024, 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) with two sureties of like amount each to the satisfaction of learned Spl. Judge Excise-I, Aurangabad, in connection with Amba P.S. Case No. 155 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)

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