

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74176 of 2024

Arising Out of PS. Case No.-263 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

Manish Kumar S/O Binay Singh @Binay Prasad @ Vinay Singh Resident of
Village - Pyrepur, P.S. - Baikunthpur, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Adv.
For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Baikunthpur P.S. Case No. 263 of 2024 for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, lodged on 10.08.2024 by the informant, Suraj Kumar Sharma.

3. As per the prosecution story, the informant alleged that upon secret information, the police party intercepted a Pick-Up Van and there is recovery/seizure of 207.360 litres of foreign liquor. Accordingly, those present were apprehended and the FIR lodged.

4. Learned counsel for the petitioner submits that he has no connection with the Pick-Up Van, being a passerby, implicated. Further, the petitioner has no criminal antecedent



and is in custody since 11.08.2024 (para-10 of the petition).

5. Learned APP opposes the prayer submitting that he has been named in the FIR.

6. Considering the submissions put forward by the parties, as also the petitioner has got no criminal antecedent, has remained in custody since 11.08.2024 (para 10 of the petition) and the vehicle does not belong to him, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, 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 Additional District & Sessions Judge-XIII-Cum-Special Judge, Excise Court No. I, Gopalganj in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member 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 month 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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