

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74109 of 2024

Arising Out of PS. Case No.-418 Year-2024 Thana- BRAHMPUR District- Buxar

Sandeep Yadav @ Sandeep Kumar Yadav Son of Harinath Yadav R/O Vil.-
Mahuar English, P.S.- Sahpur (Karnamepur), Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-10-2024 Heard Mr. Akash Kumar Mishra, learned counsel
for the petitioner and the State.

2. The petitioner is in custody in connection with
Brahampur P.S. Case No. 418 of 2024 for the offence
punishable under sections 30(a) of the Bihar Prohibition and
Excise Act lodged on 19.08.2024 by the informant, Firoz Alam.

3. As per the prosecution story, the informant alleged
that during routine search, the motorcycle was intercepted and
51.600 liter foreign liquor recovered/seized and the accused
arrested which followed the FIR.

4. Learned counsel for the petitioner submits that he
do not have any role to play in the matter, only because of
criminal antecedent, he has been arrested and the motorcycle
does not belong to him.



5. Learned APP opposes the prayer for bail submitting that he has been arrested along with the liquor.

6. Taking into account the aforesaid submissions as also the custody period (20.07.2024), the petitioner does not own the motorcycle, FIR lodged, he will be facing the 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) each with two sureties of like amount each to the satisfaction of learned E. Excise Special Judge Court No. 2, Buxar in connection with Brahmampur P.S. Case No. 418 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)

Vijay Singh/-

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