

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77029 of 2024

Arising Out of PS. Case No.-2082 Year-2024 Thana- Excise P.S. District- Patna

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Arun Kumar Son of Ram Raj Prasad Resident of village- Simri Nawada, P.S-
Bihta, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh, Advocate
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-10-2024 Heard the parties.

2. The petitioner is in custody in connection with Excise P.S. Case No. 2082 of 2024 for the offence punishable under sections 30(a) & 56 (b) of the Bihar Prohibition and Excise Act lodged on 03.09.2024 by the informant, Vijay Kumar.

3. As per the prosecution story, the informant alleged that upon secret information, he intercepted a Hyundai car and upon search, total 100 liters of country-made liquor recovered/seized. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the car does not belong to him, was a mere passenger and have no knowledge of the presence of the liquor. Though, he concede that the petitioner has criminal antecedent.



5. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

6. Taking into account the submissions as also the fact that he is in custody since 03.09.2024, FIR lodged and 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 Special Judge Excise III, Patna, in connection with Excise P.S. Case No. 2082 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 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)

Adnan/-

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