

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76533 of 2024

Arising Out of PS. Case No.-941 Year-2024 Thana- Excise P.S. District- Gaya

Sanjay Kumar S/o- Satendra Chaudhary Resident of village- Malda Police station- Muffasil District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Braj Nandan Kumar Tiwary, Advocate
For the State	:	Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Excise P.S. Case No. 941 of 2024 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 12.09.2024 by the informant, Rajesh Kumar.

3. As per the prosecution story, the informant alleged that on secret information a motorcycle was intercepted and there is recovery/seizure of 40 liters of country made wine. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that the motorcycle does not belong to him and has been falsely implicated, he do not have criminal antecedent and is in custody since 13.09.2024 (paragraph no.4 of the petition).



5. Learned APP for the State opposes the prayer for bail.

6. Taking into account the submissions put forward by the parties as also that the petitioner does not own the vehicle and has no criminal antecedent, this Court is inclined to extend him the privilege of bail.

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 Excise Court No.-3, Gaya in connection with Excise P.S. Case No. 941 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 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 now 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 bail bonds.

(Rajiv Roy, J)

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