

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76588 of 2024

Arising Out of PS. Case No.-83 Year-2024 Thana- MESKAUR District- Nawada

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1. Biggu Kumar S/O Nandlal Paswan R/O Village- Bara, P.S- Fatehpur, Distt.- Gaya.
 2. Rajesh Chaudhary S/O Mishri Chaudhary R/O Village- Bara, P.S- Fatehpur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-10-2024 Heard the parties.

2. The petitioners are in custody in connection with Meskaur P.S. Case No. 83 of 2024 for the offence punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act lodged on 15.09.2024 by the informant, Kameshwar Prasad.

3. As per the prosecution story, the informant alleged that on secret information, the motorcycle was intercepted and there is recovery/seizure of 101 liters of county-made liquor. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that they have no concern with the motorcycle, they are not the owner of the motorcycle and further, do not have any criminal



antecedent. The petitioner being the passer-by, there was an issue with the police, implicated in the present case for which has already suffered by being in custody since 16.09.2024 (paragraph-15 of the petition).

5. Learned APP opposes the prayer for bail.

6. Considering the submission put forwarded by the parties as also the fact that the motorcycle does not belong to them, they are in custody since 16.09.2024, this Court is inclined to extend them the privilege of bail with conditions.

7. Let the petitioners 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 Exclusive Special Excise Court-1, Nawada, in connection with Meskaur P.S. Case No. 83 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners 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 petitioners shall appear before the concerned



police station every fortnight for six months to mark their attendance;

(iv) the petitioners 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 petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

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