

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76821 of 2024

Arising Out of PS. Case No.-116 Year-2024 Thana- DHARHARA District- Munger

Bipul Kumar @ Vipul Kumar @ Bipul Yadav Son of Rajo Yadav R/O Village-
Maharna, P.S.- Dharahra, Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate
For the State : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Dharhara P.S. Case No. 116 of 2024 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 05.05.2024 by the informant, Pramod Kumar.

3. As per the prosecution story, the informant alleged that during patrolling, it intercepted a person sitting on a horse with a white sack and upon search 48 liters of country made liquor recovered/seized, this led to the F.I.R.

4. Learned counsel for the petitioner submits that the petitioner is having criminal antecedent and that has given rise to the present case, nothing has been recovered from his conscious possession.



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

6. Taking into account the submission put forward by the parties as also the fact that the locals gave the name of the petitioner, nothing has been recovered from his conscious possession and he is in custody since 25.07.2024 (paragraph no.16 of the petition), 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 Special, Excise Judge-I, Munger in connection with Dharhara P.S. Case No. 116 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 one year 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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