

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74625 of 2024

Arising Out of PS. Case No.-237 Year-2024 Thana- JAYNAGAR District- Madhubani

Prabhat Kumar Son of Utamla Banrait @ Uttim Yadav Village- Bela, PS-
Jaynagar, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Jha

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 30-10-2024 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in the present case registered for the offence under Sections 274, 275, 317(5), 3(5) of the Bhartiya Nyay Sanhita and 30(a)/41 of the Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution case, 827.28 liters of illicit liquor has been recovered from the seized vehicle.

4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence. Petitioner is in custody since 24.08.2024 and claims clean antecedent.

5. Learned A.P.P. has vehemently opposed the prayer for bail.



6. Considering the facts and circumstances of the case, this application for regular bail is allowed.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani/concerned Court below in connection with Jay Nagar P.S. Case No. 237 of 2024 subject to conditions that:-

7(i). The petitioner will mark his attendance at the Jay Nagar Police Station on the first & third Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.

(ii). Before accepting the bail-bond of the petitioner, the court below will verify the antecedent of the petitioner. If the petitioner is found having clean antecedent, the bail-bond of the petitioner shall be accepted. If the petitioner is found having criminal antecedent(s), his bail-bond shall not be accepted by the court below.

(Sandeep Kumar, J)

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