

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74475 of 2024

Arising Out of PS. Case No.-154 Year-2024 Thana- BARIYARPUR District- Munger

Raja Yadav Son of Karu Yadav Village -Urdu Bazar PS -Tatarpur Distt
-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Patel,Adv.

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Bariarpur P.S. Case No. 154 of 2024 for the offences punishable under Sections 30(a), 32 of the Bihar Prohibition and Excise Act, lodged on 17.07.2024 by the informant, Rajesh Kumar.

3. As per the prosecution story, the informant alleged that upon secret information, vehicles were being checked and in course thereof, a Pick Up Van was intercepted and there is recovery/seizure of 1293.48 litres of illicit foreign liquor. Accordingly, the FIR along with the arrest.

4. Learned counsel for the petitioner submits that he does not own the vehicle and only because being seated as passenger got implicated, he is in custody since 18.07.2024



(para-4 of the petition) and the last submission is that irrespective of the outcome of the present case and or accepting the allegation he intends to pay Rs.25,000/- (Twenty five thousand) to the District Legal Services Authority, Munger, exclusively for the purchase of benches to be installed in the premises of the Civil Court, Munger.

5. Learned APP opposes the prayer submitting that he has criminal antecedents.

6. Considering the submissions put forward by the parties as also the petitioner does not own the Pick Up Van, as submitted he was sitting in it, has remained in custody since 18.07.2024, this Court is inclined to extend him the privilege of bail, subject to the payment of Rs.25,000/- (Twenty five thousand) to the District Legal Services Authority, Munger, exclusively for the purchase of benches to be installed in the premises of the Civil Court, Munger.

7. Let the petitioner, above named, 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 Judge-1, Excise, Munger in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member 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 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 month for next 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)

perwez

U		T	
---	--	---	--

