

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77532 of 2024

Arising Out of PS. Case No.-244 Year-2024 Thana- TILAUTHU District- Rohtas

Ravi Kumar S/O Ramdhar Ram Resident Of Village - Hurka Tola, Police
Station- Tilauthu, District- Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the State : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-11-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Tilauthu P.S. Case No. 244 of 2024 for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, lodged on 06.08.2024 by the informant, Jayprakash Sah.

3. As per the prosecution story, the informant alleged that police intercepted a Santro Car and recovered/seizred 40 liters of country made liquor from its dicky. Those present in the car were arrested. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that the recovery/seizure is from the dicky of the car and the car does not belong to him. He was a mere passenger, implicated. Further, he do not have criminal antecedent and is in custody since 07.08.2024 (paragraph no.22 of the petition).



5. Learned APP for the State opposes the prayer submitting that he was present in the car when the recovery/seizure made.

6. Taking into account the submissions put forward by the parties as also the fact that the car does not belong to the petitioner and nothing has been recovered from his conscious possession, is in custody since 07.08.2024, 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 Court No.-2-cum-Additional District & Sessions Judge, Rohtas at Sasaram in connection with Tilauthu P.S. Case No. 244 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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