

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76733 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- Excise P.S. District- Vaishali

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Ankit Kumar Son of Naval Ray Resident of Litiyahi Ward No.- 9, P.S.-
Rustampur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Usha Kumari Singh, Adv.

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-10-2024 Heard Ms. Usha Kumari, learned counsel for the

petitioner and the State.

2. The petitioner is in custody in connection with
Hajipur P.S. Case No. 46 of 2024 for the offence punishable
under sections 30(a) ,32(3), 41(1)(2) of the Bihar Prohibition
and Excise Act, lodged on 19.02.2024 by the informant, Suresh
Prasad Choudhary.

3. As per the prosecution story, an Alto car was
intercepted and from the dickey, there is recovery/seizure of 200
country made liquor.

4. It is the case of the petitioner that he does not own
the car nor has been arrested on the spot.

5. Learned counsel for the petitioner submits that he
has not been arrested from the spot and there is nothing on



record to show how his name cropped up in the FIR itself. It is the contention that he does not own the Alto car.

6. Learned APP opposes the prayer for bail submitting that in the FIR, he has been named.

7. Considering the submissions put forward by the parties as also that nothing has been recovered from his conscious possession, he is in custody since 12.09.2024 (para 4 of the petition), this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner 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 Prohibition & Excise Court no. 2-cum-Additional District & Sessions Judge, Hajipur, Vaishali in connection with Hajipur P.S. Case No. 46 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/her 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 fortnight for one year 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)

Vijay Singh/-

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