

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78431 of 2024

Arising Out of PS. Case No.-307 Year-2024 Thana- RAJNAGAR District- Madhubani

Monu Kumar @ Monu Kumar Mandal Son of Ghanshyam Mandal Resident
of Village- Rampatti, Durga, Asthan, P.S.- Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 13-11-2024

Heard the parties.

2. The petitioner is in custody in connection with Raj Nagar P.S. Case No. 307 of 2024 for the offence punishable under sections 274, 275, 3(5) of BNS and 30(a) of the Bihar Prohibition and Excise Act lodged on 11.08.2024 by the informant, Sintu Kumar.

3. As per the prosecution story, the informant alleged that during patrolling and on secret information, reached the place, accused tried to escape, apprehended and there is recovery/seizure of 360 liter country made liquor as also 36 liter beer from the Bridge, which led to the FRI, arrest.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession rather near the bridge, he has no criminal antecedent and is in custody



since 12.08.2024 (para 1 of the petition).

5. Learned APP opposes the prayer for bail.

6. Considering the submissions put forward by the parties as also the fact that nothing has been recovered from his conscious possession, is in custody since 12.08.2024 and have no criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. 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 Additional Sessions Judge-II cum Special Judge, Excise Act, Madhubani in connection with Raj Nagar P.S. Case No. 307 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 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)

Vijay Singh/-

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