

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79190 of 2024

Arising Out of PS. Case No.-436 Year-2024 Thana- PATNA CITY CHOWK District- Patna

Prince Kumar Son of Mithu Rai @ Mithu Yadav R/O-Mohalla- Marufganj
Pathar Ghat, PS- Malsalami, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar, Adv.

For the Opposite Party/s : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-11-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Chowk P.S. Case No. 436 of 2024 for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 12.09.2024 by the informant, Chandrabhushan Singh.

3. As per the prosecution story, the informant alleged that during patrolling, a scooty was intercepted and there is recovery/seizure of 60 litres of country made liquor. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he does not own the scooty and only because of his criminal antecedent, arrested and is in custody since 13.09.2024 (para-6 of the petition).



5. Learned APP opposes the prayer.

6. Considering the submissions put forward by the parties as also his period of custody and does not own the vehicle, this Court is inclined to extend him the privilege of bail.

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 Court of Excise, Patna City 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 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)

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