

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81139 of 2024**

Arising Out of PS. Case No.-220 Year-2024 Thana- JAYNAGAR District- Madhubani

Ganesh Singh@ Ganesh Kumar Singh S/o- Basudeo Singh Village- Laskariya  
PS-Jaynagar Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      27-11-2024

Heard the parties.

2. The petitioner is in custody in connection with Jaynagar P.S. Case No. 220 of 2024 for the offence punishable under sections 274, 275, 317(5) and 3(5) of the Bharatiya Nyaya Sanhita and 30(a) of the Bihar Prohibition and Excise Act lodged on 02.08.2024 by the informant, Ramji Singh.

3. As per the prosecution story, the Police upon secret information raided Laskariya Orchard and the allegation is that from the sack attached to the motorcycle, there is recovery of 423 liters of Nepali country-made liquor as also 5.625 Nepali foreign liquor. This led to the FIR/arrest.

4. Learned counsel for the petitioner submits that only because of his criminal antecedent he has been implicated, neither the motorcycle belongs to him nor the orchard, is in custody since 23.08.2024 (paragraph-4 of the petition) and the last submission is that without accepting the allegation and/or



the outcome of the present case, he intends to contribute Rs. 10,000/- to the District Legal Services Authority, Madhubani for the purchase of Steel Benches for the Civil Court Campus of Madhubani Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer for bail.

6. Considering the submissions put forwarded by the parties as also the fact that the motorcycle does not belong to him and has remained in custody since 23.08.2024, this Court is inclined to extend him the privilege of bail with conditions subject to payment of Rs. 10,000/- to the District Legal Services Authority, Madhubani for the purchase of Steel Benches for the Civil Court Campus of Madhubani Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt of the purchase be submitted to the trial Court by the DLSA, Madhubani.

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 Addl. District & Sessions Judge-II-cum-Special Judge (Excise Act), Madhubani, in connection with Jaynagar P.S. Case No. 220 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)**

Adnan/-

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