

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78135 of 2024**

Arising Out of PS. Case No.-269 Year-2024 Thana- DEEPNAGAR District- Nalanda

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Bilas Kewat @ Bilash Kewat @ Vilas Kewat Son of Late Rajendra Kewat  
Resident of Village - Naya Tola, Chak Dilawar, P.S. - Deep Nagar, District -  
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Shyamal Prakash,Adv.

For the Opposite Party/s : Mr.Bharat Bhushan, APP

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

ORAL ORDER

2      12-11-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Deep Nagar P.S. Case No. 269 of 2024 for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 14.08.2024 by the informant, Ravi Raj Singh.

3. As per the prosecution story, the informant alleged that upon secret information, it went to the place and though the accused managed to escape but there is recovery/seizure of 60 litres Mahua near the bushes. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that admittedly, the recovery is from the bushes, nothing has been recovered from his conscious possession, his name has come in the confessional statement of the Chowkidar due to enmity and



criminal antecedent for which he has already suffered by being in custody since 06.09.2024 (para-11 of the petition).

5. Learned APP, Mr. Bharat Bhushan opposes the prayer submitting that he has criminal antecedent.

6. Taking into account the aforesaid facts as also nothing has been recovered from his conscious possession, he is in custody since 06.09.2024, 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 Additional Sessions Judge-5th cum-Special Judge, (Excise), Bihar Sharif, Nalanda 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 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)**

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