

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77024 of 2024

Arising Out of PS. Case No.-184 Year-2024 Thana- GOPALPUR District- Gopalganj

Dinanath Sah S/O Jiut Sah R/O Village- Lachhpur, P.S.- Gopalpur, District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-10-2024 Heard Mr. Lokesh Kumar Singh, learned counsel for
the petitioner and the State.

2. The petitioner is in custody in connection with Gopalpur P.S. Case No. 184 of 2024 for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act lodged on 13.08.2024 by the informant, Deepak Kumar.

3. As per the prosecution story, the informant alleged that in course of checking, a motorcycle was intercepted and from it, 69.000 liters of country-made liquor was recovered/seized. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he does not own the motorcycle, was a pillion rider and had no knowledge about the presence of the liquor. Further, he is a student and is in custody since 13.08.2024 (paragraph-16 of the



petition).

5. Learned APP opposes the prayer for bail submitting that when the recovery was made, he was on the motorcycle.

6. Considering the submissions as also the fact that he is a student, does not own the vehicle and is in custody since 13.08.2024, 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 IV-cum-Exclusive Special Judge, Excise Court No. II, Gopalganj, in connection with Gopalpur P.S. Case No. 184 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)

Adnan/-

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