

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77241 of 2024

Arising Out of PS. Case No.-204 Year-2024 Thana- BAUNSI District- Banka

Ratanlal Yadav S/o- Suresh Prasad Yadav @ Suresh Yadav Resident Of
Village- Nayatola Dudhaila, Ps- Madhusudanpur, Dist-Bhagalpur

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-11-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Special Excise No. 315 of 2024 arising out of Bounsi P.S. Case No. 204 of 2024 for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 19.06.2024 by the informant, Kamlesh Kumar Sahni.

3. As per the prosecution story, the police upon information intercepted a Pick-Up van and there is recovery/seizure of 891 litres of foreign liquor. Accordingly, the FIR/arrest.

4. Learned counsel for the petitioner submits that he is not the owner of the Pick-Up van, is a driver, had no knowledge about the presence of the liquor and is in custody since 20.06.2024 (para-6 of the petition) having no criminal antecedent.



5. Learned APP opposes the prayer.

6. Considering the submissions put forward by the parties as also the fact that he is not the owner of the Pick-Up van, has no criminal antecedent, has remained in custody since 20.06.2024, 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 Special Judge, Excise Court No.1, Banka 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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