

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78587 of 2024

Arising Out of PS. Case No.-178 Year-2024 Thana- Marnga District- Purnia

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Sujeet Kumar @ Sujit Kumar S/o Dilip Kumar Paswan @ Dilip Paswan R/o
Mohalla - Shivnagar Newala Chowk, Thana- Maranga, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-11-2024

Heard the parties.

2. The petitioner is in custody in connection with Maranga P.S. Case No. 178 of 2024 for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act lodged on 18.08.2024 by the informant, Pramod Kumar.

3. As per the prosecution story, the informant alleged that during patrolling/secret information, the house of Shambhu Kumar was raided and there is recovery/seizure of 95.375 liter foreign liquor, which led the FIR.

4. Learned counsel for the petitioner submits that the alleged recovery is from the house of Shambhu Kumar, his name has come in the confessional statement of the said accused which led to his custody since 19.08.2024 (para 14 of the petition). Further, he do not have criminal antecedent.



5. Learned APP opposes the prayer for bail submitting that his name has come in the confessional statement.

6. Taking into account the submissions put forward by the parties as also the fact that the recovery is from the house of Shambhu Kumar, is in custody since 19.08.2024 having no criminal antecedent, 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 Exclusive Special Judge Excise-1, Purnea in connection with Maranga P.S. Case No. 178 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)

Vijay Singh/-

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