

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76859 of 2024

Arising Out of PS. Case No.-376 Year-2024 Thana- Excise P.S. District- Sheikhpura

Lalan Mandal S/O Kanhaiya Raut R/o Vill.- Murapur, P.S - Korma, District -
Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar, Advocate
For the State	:	Mrs. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-10-2024 Heard Mr. Pankaj Kumar, learned counsel for the
petitioner and learned APP for the State.

2. The petitioner is in judicial custody in connection with Sheikhpura Excise P.S. Case No. 376 of 2024 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 20.09.2024 by the informant, Amarjit Kumar.

3. As per the prosecution story, the police upon information intercepted a motorcycle and there is recovery/seizure of 40 liters of country made wine. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession but the police due to enmity has implicated him for which he has



already suffered by being in custody since 21.09.2024 (paragraph no.1 of the petition). The last submission is that he do not have criminal antecedent.

5. Learned APP for the State opposes the prayer submitting that the motorcycle belongs to the petitioner.

6. Taking note of the submissions of the parties, allegation is there, the petitioner will face the music, he is in custody since 21.09.2024 and do not have criminal antecedent, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner 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 Exclusive Special Excise Judge, Sheikhpura in connection with Sheikhpura Excise P.S. Case No. 376 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 *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court 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 next six months to mark his attendance;

(iv) the petitioner shall in now 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 bail bonds.

(Rajiv Roy, J)

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