

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77684 of 2024

Arising Out of PS. Case No.-665 Year-2024 Thana- ARA NAWADA District- Bhojpur

Amar Dayal Kumar S/o Ram Dayal R/o vill - Ghora Pokhar, P.S. -
Udwantnagar, Distt.- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Adv.
For the Opposite Party/s : Mr. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 12-11-2024 Heard Mr. Shiv Prasad Gupta, learned counsel for
the petitioner duly assisted by Mr. Sameer Kumar and the State.

2. The petitioner is in custody in connection with Ara
Nawada P.S. Case No. 665 of 2024 for the offence punishable
under sections 30(a) of the Bihar Prohibition and Excise Act ,
2022 lodged on 09.09.2024 by the informant, Sanjay Kumar.

3. As per the prosecution story, the informant alleged
that in course of verification of the vehicle, the motorcycle was
found with two sacks. When it was asked to stop, tried to escape
but was apprehended and there is recovery/seizure of total
92.280 country made liquor. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he is
a 19 year old student having no criminal history, was a passer-



by, the motorcycle does not belong to him, implicated.

5. Learned APP opposes the prayer for bail submitting that he was arrested along with the motorcycle having liquor.

6. Though allegation is there, the petitioner will be facing the trial, he is 19 years of age, student, is in custody since 09.09.2024 (para 16 of the petition) 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 Excise Court, 1st Bhojpur at Ara in connection with Nawada P.S. Case No. 665 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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