

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77560 of 2024

Arising Out of PS. Case No.-247 Year-2024 Thana- Excise P.S. District- Samastipur

Suraj Kumar S/o- Ranjit Mahto @ Ranjeet Mahto Village- Patpara Uttar Ps-
Bibhutipur Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mili Kumari, Advocate

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-11-2024 Heard Ms. Mili Kumari, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection
with Excise P.S. Case No. 247 of 2024 for the offence
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act lodged on 18.09.2024 by the informant, Kumar
Gaurav.

3. As per the prosecution story, the informant alleged
that in course of vehicle checking, intercepted a motorcycle and
recovered/seized 60 liters of Chulai liquor. Accordingly, the
arrest and the FIR.

4. Learned counsel for the petitioner submits that the
motorcycle does not belong to him, got implicated and is in
custody since 18.09.2024 (para-5 of the petition). Further, he do



not have criminal antecedent.

5. Learned APP opposes the prayer.

6. Taking into account the fact that the petitioner is 19 years old having no criminal antecedent, the motorcycle does not belong to him and is in custody since 18.09.2024, 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) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise Court-02, Samastipur, in connection with Excise P.S. Case No. 247 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 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 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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