

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78412 of 2024

Arising Out of PS. Case No.-148 Year-2024 Thana- MEHANDIGANJ District- Patna

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Ram Pravesh @ Feku @ Ram Pravesh Kumar S/O Vijay Yadav Resident Of
Village- Ranipur Dhal, P.S- Mehandiganj, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 13-11-2024

Heard the parties.

2. The petitioner is in custody in connection with Mehandiganj P.S. Case No. 148 of 2024 for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act lodged on 07.09.2024 by the informant, Abhay Kumar Singh.

3. As per the prosecution story, the informant alleged that the police upon information, raided the place and recovered/seized 11 liter country made liquor. The petitioner was able to escape. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession, the police upon information, falsely implicated him, which resulted into his custody from 01.10.2024 (para 15 of the petition).



5. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

6. Considering the submissions put forward by the parties as also the fact that nothing has been recovered from his conscious possession, he has later come into judicial custody, 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 Special Judge Excise Patna City in connection with Mehandiganj P.S. Case No. 148 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 one year 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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