

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78128 of 2024

Arising Out of PS. Case No.-276 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Raman Kumar S/O Pawan Ray R/O Village- Narhan Raypatti, Ward No. 8,
P.S- Bibhutipur, Dist.- Samstipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy, Adv.

For the Opposite Party/s : Ms.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-11-2024 Heard Mr. Dilip Kumar, learned counsel for the
petitioner and learned APP for the State.

2. The petitioner is in judicial custody in connection with Bibhutipur P.S. Case No. 276 of 2024 for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 30.08.2024 by the informant, Anand Kumar Kashyap.

3. As per the prosecution story, the informant alleged that upon secret information, the concerned place was raided and there is recovery/seizure of 52.500 litres of Beer . Accordingly, the FIR.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession, his name has come in the confessional statement of the Chowkidar,



has already suffered by being in custody since 30.08.2024 (para-13 of the petition) and has no criminal antecedent.

5. Learned APP opposes the prayer.

6. Taking into account the aforesaid facts as also the submissions put forward by the parties, he does not have criminal antecedent and has remained in custody for about three months, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, 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 Judge, Excise-I, Samastipur in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member 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 month 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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