

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77670 of 2024

Arising Out of PS. Case No.-254 Year-2024 Thana- NAUTAN District- Siwan

Deepak Kumar Yadav S/o Kanchan Yadav Resident of village-Semra PS -
Nautan, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Anupam, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-11-2024 Heard Mrs. Kumari Anupam, learned counsel for
the petitioner and the State.

2. The petitioner is in custody in connection with Nautan P.S. Case No. 254 of 2024 for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act, 2022 lodged on 10.10.2024 by the informant, Mantu Kumar.

3. As per the prosecution story, the informant upon information intercepted a motorcycle and there is recovery/seizure of 108 liter country made liquor. This led to the FIR, arrest.

4. Learned counsel for the petitioner submits that he does not own the motorcycle nor has any relationship with the seized articles. Further, he is in custody since 11.10.2024 having no criminal antecedent.



5. Learned APP opposes the prayer for bail submitting that when the recovery/seizure made, the petitioner was present with the motorcycle.

6. Considering the submissions put forward by the parties as also taking into account that he do not have criminal antecedent, FIR lodged, he will be facing the trial, is in custody since 11.10.2024, 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) each with two sureties of like amount each to the satisfaction of learned Special Excise Court II, Siwan in connection with Nautan P.S. Case No. 254 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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