

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83091 of 2023

Arising Out of PS. Case No.-487 Year-2023 Thana- LAKHISARAI District- Lakhisarai

TITU @ TITU KUMAR Son of Umakant Singh @ Umashankar Singh R/o
Village - Dakra, P.S.- Ramgarh Chowk, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

7 19-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Lakhisarai (Ramgarh Chowk) P.S. Case No. of 487 of 2023
registered on 28.06.2023 lodged under Sections 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018

3. As per the prosecution case, F.I.R. has been lodged
against the petitioner and the owner of the tractor to whom there
is an allegation that there is recovery of 819 litre of illicit liquor.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that petitioner
is in custody since 15.09.2023 having three criminal case
pending against him. Counsel further submits that recovery has
been made from trolley attached to the tractor which does not



belong to the petitioner and he has nothing to do with the illicit liquor.

5. Learned counsel for the State opposes the prayer for bail and submits that there is involvement of petitioner in the liquor business and all antecedents belong to the Excise Act only.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on ***being satisfied by the trial Court that he is not absconding in any of the criminal cases pending against him which is mentioned below*** and on furnishing bail bonds of Rs.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IV-cum-Special Excise Court No.-1, Lakhisarai in connection with Lakhisarai (Ramgarh Chowk) P.S. Case No. of 487 of 2023, subject to the following conditions laid down under Section 437 (3) of the Cr.P.C.

(i) one of the bailor 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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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 the bail bonds.

- Ramgarh Chowk P.S. Case No. 694/2019
- Ramgarh Chowk P.S. Case No. 671/2018
- Ramgarh Chowk P.S. Case No. 87/2018

(Dr. Anshuman, J)

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