

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82957 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- BARARI District- Bhagalpur

DEEPAK KUMAR SON OF RAMDEV MANDAL RESIDENT OF
HOUSING BOARD COLONY BARARI, P.S. - BARARI, DISTRICT -
BHAGALPUR, PERMANENT RESIDENT OF VILLAGE - TULSIPUR
(KALI ASTHAN), P.S. - KHARIK, DISTRICT - BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-12-2024 Heard the parties.

2. The petitioner is in custody in connection with Barari P.S. Case No. 101 of 2024 for the offence punishable under section 30(a) and 30(d) lodged on 05.09.2024 by the informant, Sunil Kumar Singh.

3. As per the prosecution story, the informant alleged that upon secret information, the house was raided and there is recovery/seizure of 50 liters of country-made liquor and 180 liters half manufactured liquor which were destroyed. This led to the FIR.

4. Learned counsel for the petitioner submits that the recovery/seizure is from an abandon house which in no way can be attributed to him, only because of his criminal antecedent,



implicated and is in custody since 08.09.2024 (paragraph-10 of the petition).

5. Learned APP opposes the prayer for bail.

6. Taking into account the aforesaid facts as also that he is in custody since 08.09.2024, FIR lodged and he will be facing the trial, 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 Additional Sessions Judge-IX-cum-Exclusive Special Excise Judge-I, Bhagalpur, in connection with Barari P.S. Case No. 101 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)

Adnan/-

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