

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78510 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- Pachpakdi District- East Champaran

Anuj Kumar @ Anoj Kumar Son of Baban Paswan Resident of Village -
Ratanwa, P.S.- Fenhara, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Shankar Shrivastava, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-11-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Pachpakari P.S. Case No. 23 of 2024 for the offences punishable under Section 317(5) of the B.N.S.S. and section 30(a) of the Bihar Prohibition and Excise Act, lodged on 06.09.2024 by the informant, Ram Kishor Singh.

3. As per the prosecution story, the informant alleged that in course of patrolling intercepted a motorcycle without number plate and there is recovery/seizure is of 9 liters of Nepali Liquor. Accordingly, the F.I.R., arrest.

4. Learned counsel for the petitioner submits that he was out on the market to purchase some item and was passing when implicating him with the motorcycle, the present case. Further, it is his categorical submission that he does not own the



motorcycle nor has criminal antecedent. Lastly, he submits that he is in custody since 07.09.2024 (paragraph no.8 of the petition).

5. Learned APP for the State opposes the prayer.

6. Taking into account the submission put forward by the parties as also that he does not own the motorcycle nor has criminal antecedent, in that background, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner 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, Excise Court No.-1, East Champaran, Motihari, in connection with Pachpakari P.S. Case No. 23 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 *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court 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 next six months to mark his attendance;

(iv) the petitioner shall in now 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 bail bonds.

(Rajiv Roy, J)

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