

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79134 of 2024

Arising Out of PS. Case No.-65 Year-2024 Thana- KHAGARIA RAIL P.S. District- Khagaria

Aaditya Kumar @ Aaditya Raj Son of Rajesh Bharti R/o Village - Pansala,
P.S.- Lakho (Mufassil), District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Rohit Raj, Adv.
For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-11-2024 Heard Mr. Rohit Raj, learned counsel for the

petitioner and Mrs. Sucheta Yadav, learned APP.

2. The petitioner is in custody in connection with
Khagaria Rail P.S. Case No. 65 of 2024 for the offence
punishable under sections 30(a) of the Bihar Prohibition and
Excise Act lodged on 05.07.2024 by the informant, Madan
Kumar Paswan.

3. As per the prosecution story, the informant alleged
that on suspicion, one passenger was apprehended. He was
Aman Kumar and there is recovery/seizure of 48.750 liter
foreign liquor, which led to the FIR.

4. Learned counsel for the petitioner submits that his
name has come in the confession of the Aman Kumar, he is a
student, has no role to play in the matter, he is in custody since



19.09.2024 (para 5 of the petition).

5. Learned APP opposes the prayer for bail submitting that his name has come in the confessional statement.

6. Taking into account the aforesaid facts as also the fact that he do not have criminal antecedent, he is a student, has remained in custody since 19.09.2024, 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 Judge (Excise) Court No. II, Khagaria in connection with Khagaria Rail P.S. Case No. 65 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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