

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78574 of 2024

Arising Out of PS. Case No.-183 Year-2024 Thana- VIJAYEPUR District- Gopalganj

Aryan Basfore @ Aryan Basfor S/o Ranju Bafor @ Ranju Basfore R/o
Village- Vijaipur, P.S.- Vijaipur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the State : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-11-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Vijaipur P.S. Case No. 183 of 2024 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 27.08.2024 by the informant, Gurudev Prasad.

3. As per the prosecution story, the police on information intercepted a motorcycle. Though, another accused along with motorcycle managed to escape, the petitioner was left behind. There was a bag from which recovery/seizure of 77 liters of country made liquor has been made, this led to the F.I.R.

4. Learned counsel for the petitioner submits that he has nothing to do with either the motorcycle or the bag, he was a



passerby by, has no criminal antecedent but got himself implicated by which he is in custody since 28.08.2024 (paragraph no.5 of the petition).

5. Learned APP for the State opposes the prayer submitting that he was apprehended with the bag.

6. Considering the submissions put forward by the parties as also the fact that he do not have criminal antecedent, is in custody since 28.08.2024, 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 Additional District & Sessions Judge-IV-cum-Exclusive Special Excise Court-II, Gopalganj, in connection with Vijaipur P.S. Case No. 183 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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