

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78649 of 2024

Arising Out of PS. Case No.-595 Year-2024 Thana- MANER District- Patna

Sultesh Kumar Son of Late Suraj Ray Resident of Maudahi, Katesar, ward
NO. 01, P.S.- Bihta, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-11-2024 Heard the parties.

2. The petitioner is in custody in connection with Special Excise Case No. 3060 of 2024 arising out of Maner P.S. Case No. 595 of 2024 for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act lodged on 04.09.2024 by the informant, Taqveer Ahmad Khan.

3. As per the prosecution story, the informant alleged that upon secret information, intercepted a scooty and from it there is recovery/seizure of 60 liters country-made *mahua* from a bag. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession, was driving the scooty, had no concern with the bag but the police implicated him and has remained in custody since 04.09.2024



(paragraph-4 of the petition).

5. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

6. Taking into account the submissions put forwarded by the parties as also that he is a young boy of twenty two years, is in custody since 04.09.2024, FIR lodged and 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 Special Excise Judge, Danapur, in connection with Special Excise Case No. 3060 of 2024 arising out of Maner P.S. Case No. 595 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 one year 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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