

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80171 of 2024

Arising Out of PS. Case No.-211 Year-2024 Thana- MAKER District- Saran

Darshan Kumar Son of Manjay Sahni Resident of Village - Sanathi, P.S.-
Garaha, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivek Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-11-2024 Heard Mr. Vivek Kumar Pandey, learned counsel for
the petitioner and the State.

2. The petitioner is in judicial custody in connection with Maker P.S. Case No. 211 of 2024 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 08.08.2024 by the informant, Akhilesh Kumar.

3. As per the prosecution story, the Police during patrolling, intercepted an Auto and recovered/seized 7.11 liters of foreign liquor which led to the arrest of the petitioner following the FIR.

4. Learned counsel for the petitioner submits that he does not own the Auto nor is the owner, a passenger little realizing about the presence of the liquor in it and only because he has criminal antecedent, implicated, is in custody since



09.08.2024 (para-4 of the petition).

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

6. Considering the aforesaid submissions put forward by the parties as also the fact that he does not own the Auto nor is the driver and is in custody since 09.08.2024, 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) with two sureties of like amount each to the satisfaction of learned 3rd Exclusive Special Excise Court, Saran, Chapra in connection with Maker P.S. Case No. 211 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 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 next 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)

Ravi/-Suruchi

U		T	
---	--	---	--

