

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81654 of 2024

Arising Out of PS. Case No.-954 Year-2024 Thana- Excise P.S. District- Aurangabad

Chandrashekhar Prasad Sinha S/O Govind Prasad Sinha R/O Village Kamreh
@ Kamre, gokul dham, P.S- Ratu, District- Ranchi Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rupa Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-11-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Excise P.S. Case No. 954 of 2024 for the offence punishable under Sections 30(a), 32(3), 41(1), 41(2) of the Bihar Prohibition and Excise Act lodged on 23.09.2024 by the informant, Mahendra Kumar.

3. As per the prosecution story, the informant alleged that in course of vehicle checking, intercepted a Maruti Suzuki and there is recovery/seizure of 200.250 liters of foreign liquor which resulted into FIR/Arrest.

4. It is the case of the petitioner that he does not own the car which belongs to Suraj Singh, was a driver having no knowledge about the presence of liquor in the car, has no criminal antecedent and is in custody since 23.09.2024 and



lastly irrespective of the outcome of the present case and/or accepting the allegation, the petitioners intend to contribute Rs.10,000/- to the District Legal Services Authority, Aurangabad for the purchase of steel Benches for the Civil Court Campus, Aurangabad through Demand Draft issued by the local branch of the State Bank of India.

4. Learned APP opposes the prayer submitting that he was driving the car when it was intercepted.

5. Considering the aforesaid submission put forward by the learned counsel for the petitioner, this Court is inclined to extend him the privilege of bail subject to payment of Rs.10,000/- as undertaken by the learned counsel for the petitioners to be paid to the DLSA, Aurangabad for the purchase of steel Benches in the Civil Court Campus, Aurangabad by Demand Draft issued by the local branch of the State Bank of India and the receipt has to be submitted before the Trial Court.

6. 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 Special Judge, Excise-IIInd, Aurangabad in connection with Excise P.S. Case No. 954 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)

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