

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80938 of 2024

Arising Out of PS. Case No.-826 Year-2024 Thana- Excise P.S. District- Purnia

=====

Arun Kumar S/O Sri Sahdev Thakur R/O Village- Madhepura Aadarsh Nagar,
P.S- Madhepura, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv.

For the Opposite Party/s : Mr. Sangeeta Sharma, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-11-2024

Heard the parties.

2. The petitioner is in custody in connection with Excise P.S. Case No. 826 of 2024 for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act, 2016 lodged on 13.08.2024 by the informant, Niraj Kumar.

3. As per the prosecution story, the police during patrolling, intercepted Maruti Suzuki SX-4 car and upon search, there is recovery/seizure of 158.25 liters of foreign liquor. This led to the FIR, arrest.

4. It is the case of the petitioner that he being the driver and not the owner, had no knowledge about the presence of liquor in it, has already suffered by being in custody since 13.08.2024 (para 21 of the petition) and further he has no criminal antecedent.



5. Learned APP opposes the prayer for bail.

6. Considering the submissions put forward by the parties as also the fact that he does not own the car and has no criminal antecedent, he is in custody since 13.08.2024, 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) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, Purnea in connection with Excise P.S. Case No. 826 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/-

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

