

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81253 of 2024

Arising Out of PS. Case No.-304 Year-2024 Thana- Excise P.S. District- Buxar

Dharmendra Prasad Son of Late Lakhan Prasad Resident of Mohalla -
Chandmari Road, Gali No.3, P.O.-Lohia Nagar, P.S. - Kankarbagh, District -
Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-11-2024 No one appears on behalf of the petitioner, while Mr.

Jitendra Kumar Singh, learned APP for the State is present.

2. The petitioner is in custody in connection with

Excise Buxar P.S. Case No. 304 of 2024 for the offence under

Section 30(a) of the Bihar Prohibition and Excise Amendment

Act, lodged on 26.09.2024 by the informant, Amarjeet Kumar.

3. As per the prosecution story, the police, during

patrolling, intercepted a Tata Ex-Grande car and there is recovery/

seizure of 75.600 liters of foreign liquor which led to the

FIR/arrest.

4. It is the case of the petitioner as per the petition that

he has nothing to do with the alleged recovery, the Tata Ex-

Grande car does not belong to him, has no criminal antecedent



and is in custody since 27.09.2024 (para-10 of the petition)

5. Learned APP opposes the prayer for bail of the petitioner.

6. Taking into account the facts of the case mentioned in the petition as also coupled with the fact that the petitioner has no criminal antecedent and is in custody since 27.09.2024, 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 Exclusive Excise Special Judge-2, Buxar in connection with Excise (Buxar) P.S. Case No. 304 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 the 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 bail bond.

(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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