

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80025 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- Chakki District- Buxar

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1. Harendra Noniya Son of Jai Ram Noniya Resident of village - Balram ji Ka Dera, P.S- Brahmpur, District- Buxar
 2. Bikash Kumar @ Vikash Kumar Son of Rama Shankar Singh Resident of Village- Kathar Khurd, P.S- Krishna Bharam, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Mishra, Advocate
For the State : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-11-2024

Heard the parties.

2. The petitioners are in judicial custody in connection with Chakki P.S. Case No. 22 of 2024 for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 13.10.2024 by the informant, Ramesh Kumar.

3. As per the prosecution story, the informant alleged that on secret information a motorcycle was intercepted and there is recovery/seizure of 34 liters and 380 ml of foreign liquor, this led to the F.I.R.

4. Learned counsel for the petitioners submit that they are small time business person, the motorcycle belong to the



brother, had no knowledge about the presence of the liquor and has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail.

6. Taking into account the submissions put forward by the parties as also the fact that they are young persons having no criminal antecedent and are in custody since 14.10.2024, this Court is inclined to extend him the privilege of bail.

7. Let the petitioners 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 Judge Excise II, Buxar, in connection with Chakki P.S. Case No. 22 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial Court 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 petitioners shall appear before the concerned police station every fortnight for next six months to mark his



attendance;

(iv) the petitioners shall in now 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 petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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