

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82706 of 2024

Arising Out of PS. Case No.-403 Year-2024 Thana- SUGAULI District- East Champaran

Bayas Kumar Son of Late Jokhan Mahto R/O vill.- Bhawanipur, Ward no. 08,
P.S.- Sugauli, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar II, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-12-2024

Heard the parties.

2. The petitioner is in custody in connection with Sugauli P.S. Case No. 403 of 2024 for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act, 2022 lodged on 08.09.2024 by the informant, Raj Kishor Singh.

3. As per the prosecution story, the informant alleged that during vehicle checking, the police intercepted a motorcycle and recovered total 26 liter country made liquor. This led to the FIR.

4. It is the case of the petitioner that he does not own the motorcycle and had no concern with the wine but finds himself implicated. Further, he do not have criminal antecedent and is in custody since 09.09.2024 (para 9 of the petition).

5. Learned APP opposes the prayer for bail.



6. Considering the submissions put forward by the parties as also the fact that the petitioner do not have criminal antecedent, is a young boy of 21 years, in custody since 09.09.2024 and it has been submitted that he shall be diligently appearing in trial, 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 Excise Judge-1, East Champaran at Motihari in connection with Sugauli P.S. Case No. 403 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	
---	--	---	--

