

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80022 of 2024

Arising Out of PS. Case No.-110 Year-2023 Thana- KADAMKUAN District- Patna

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Gabbar Ram @ Gabber Dom Son of Late Ashok Dom Resident of Mohalla-
Nala road , Ambedkar Bhawan , Kadan Kuan Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate
For the State : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-11-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Kadam Kuan P.S. Case No. 110 of 2023 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 24.02.2023 by the informant, Subodh Chaudhary.

3. As per the prosecution story, the informant alleged that during patrolling on secret information the police reached the place near Ambedkar Bhawan, there is recovery/seizure of 70 liters of country made liquor a bag, the petitioner accordingly came into custody.

4. Learned counsel for the petitioner submits that only because of criminal antecedent, he has been implicated, nothing has been recovered from his conscious possession and he shall



be diligently appearing in trial and in case he implicated in any fresh case, the prosecution shall be free to take steps for cancellation of his present bail bond, if granted relief.

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 he is in custody since 25.09.2024 (paragraph no.12 of the petition) and has been undertaken to diligently appear in trial, this Court is inclined to extend him the privilege of bail.

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 Special Judge Excise-II, Patna in connection with Kadam Kuan P.S. Case No. 110 of 2023, 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 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 one year to mark his attendance;

(iv) the petitioner 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 petitioner 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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