

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79461 of 2024

Arising Out of PS. Case No.-1030 Year-2024 Thana- Excise P.S. District- Jamui

Vinod Pandey Son of Late Satyanarayan Pandey Village- Khaira, P.S.- Khaira,
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankita Kumari, Adv.

For the Opposite Party/s : Mr. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-11-2024

Heard the parties.

2. The petitioner is in custody in connection with JAM P.S. Case No. 1030 of 2024 for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act lodged on 24.09.2024 by the informant, Roushan Kumar.

3. As per the prosecution story, the informant alleged that during the vehicle check and upon secret information, it intercepted a car (Mahindra Xylo) and there is recovery/seizure of 140.250 liter foreign liquor, which led to the FIR.

4. Learned counsel for the petitioner submits that the petitioner is not the owner of the vehicle, was driving it having no idea that there is liquor present, he has remained in custody since 25.09.2024 (para 4 of the petition).

5. Learned APP opposes the prayer for bail submitting



that when the vehicle was intercepted, he was present in the car.

6. Allegation is there, he has remained in custody since 25.09.2024, does not own the car, in that background, 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 Court Excise-II, Jamui in connection with JAM P.S. Case No. 1030 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/-

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