

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82191 of 2024

Arising Out of PS. Case No.-350 Year-2024 Thana- DIDARGANJ District- Patna

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1. Sohan Kumar S/o- Kapil Rai Resident of Village-Saidabad, Police Station-Raghopur, District-Vaishali.
 2. Bobby Kumar @ Boby Kumar S/o- Vijay Das Resident of Village-Saidabad, Police Station-Raghopur, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate
For the State : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-12-2024

Heard the parties.

2. The petitioners are in judicial custody in connection with Didarganj P.S. Case No. 350 of 2024 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 30.09.2024 by the informant, Abhinandan Kumar.

3. As per the prosecution story, the informant alleged that during morning patrolling, on secret information, a motorcycle was intercepted and there is recovery/seizure of 100 liters of country made liquor, this led to the F.I.R, arrest.

4. Learned counsel for the petitioners submits that they do not own the motorcycle, have no criminal antecedents,



are in custody since 01.10.2024 (paragraph no.4 of the petition)
and if granted relief shall be diligently appearing in trial

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

6. Considering the submissions put forward by the parties as also the fact that they are not the owner of the motorcycle and are in custody since 01.10.2024, this Court is inclined to extend them 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, Patna City in connection with Didarganj P.S. Case No. 350 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 their 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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