

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81236 of 2024

Arising Out of PS. Case No.-527 Year-2024 Thana- GARDANIBAG District- Patna

1. Ravi Kumar S/O Sanjay Das R/O Nausa More Botha Chak, P.S- Phulwari Sarif, Distt.- Patna.
2. Kanhaiya Kumar S/O Manoj Das R/O Nausa More Botha Chak, P.S- Phulwari Sarif, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-11-2024 Heard Mr. Deepak Kumar Singh, learned counsel for
the petitioners and learned APP the State.

2. The petitioners are in custody in connection with Gardanibagh P.S. Case No. 527 of 2024 for the offence under Sections 30(a), 34 of the Bihar Prohibition and Excise Act, 2018 lodged on 28.09.2024 by the informant, Deepak Kumar Mani.

3. As per the prosecution story, the police, during patrolling, intercepted a scooty and there is recovery/seizure of 90 liters of country made liquor which led to the FIR/arrest.

4. It is the case of the petitioners that they have nothing to do with the alleged recovery, the scooty does not belong to them, have no criminal antecedent and are in custody



since 28.09.2024 (para-4 of the petition).

5. Learned APP opposes the prayer for bail of the petitioner.

6. Considering the submissions put forwarded by the parties as also the fact that the petitioners do not own the vehicle nor have criminal antecedent, this Court is inclined to extend them the privilege of bail with conditions.

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-1, Patna, in connection with Gardanibagh P.S. Case No. 527 of 2024 subject to the following conditions:

(1) 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 and the failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bonds by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;



(iv) the petitioners 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 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 their bail bonds.

(Rajiv Roy, J)

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