

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80978 of 2024

Arising Out of PS. Case No.-154 Year-2024 Thana- Excise P.S. District- Gaya

Ravi Kumar Son of Uday Chaudhary R/O-Village- Alahua chak, P.S.- Amas,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-11-2024

Heard the parties.

2. The petitioner is in custody in connection with Excise (Sherghati) P.S. Case No. 154 of 2024 for the offence under Sections 30(a) & 32(c) of the Bihar Prohibition and Excise Act lodged on 25.09.2024 by the informant, Md. Habil.

3. As per the prosecution story, the police, upon secret information, intercepted a motorcycle and there is recovery/seizure of 16 liters illegal wine which led to the F.I.R.

4. Learned counsel for the petitioner submits that though he owes the motorcycle, nothing has been recovered from his conscious possession, the police implicated him, do not have criminal antecedent, is a student and is in custody since 26.09.2024 (para-11 of the petition).

5. Learned APP opposes the prayer for bail submitting



that he owes the motorcycle.

6. Considering the submission put forwarded by the parties as also the fact that he is only nineteen years of age, having no criminal antecedent, has remained in custody since 26.09.2024, keeping him with criminals in jail will not be good for his future, 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) with two sureties of like amount each to the satisfaction of learned Court of Exclusive Excise Court No.2, Gaya in connection with Excise Sherghati P.S. Case No. 154 of 2024 subject to the following conditions:

(1) 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 and the 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 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 bail bond.

(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)

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