

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82249 of 2024

Arising Out of PS. Case No.-383 Year-2024 Thana- Excise P.S. District- Sheikhpura

Pravesh chaudhary S/O Rajo Chaudhary R/O Village - Barui, Ward No.- 03,
P.S- Sheikhpura, District - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Adv.

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-12-2024 Heard the parties.

2. The petitioner is in custody in connection with Sheikhpura Excise P.S. Case No. 383 of 2024 for the offence punishable under Sections 30(a), 32 and 41 of the Bihar Prohibition & Excise (Amndment) Act lodged on 23.09.2024 by the informant, Anil Kumar Singh.

3. As per the prosecution story, the informant alleged that on secret information of manufacturing of liquor, the place was raided and beside the materials used for the said manufacturing, 13 litre illegal country-made liquor recovered/seized.

4. Learned counsel for the petitioner submits that nothing has been recovered from conscious possession of the petitioner rather from the local place and only due to enmity, the locals gave the name which led to the custody since 24.09.2024

though has no criminal antecedent.

5. Learned APP opposes the prayer for bail.

6. Considering the submissions as recorded above, coupled with the fact that the petitioner have no criminal antecedent and he is in custody since 24.09.2024, 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 Excise Court, Sheikhpura, in connection with Sheikhpura Excise P.S. Case No. 383 of 2024 subject to the following conditions:

(i) one of the bailors 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 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.)

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