

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82162 of 2024

Arising Out of PS. Case No.-174 Year-2024 Thana- Ramgarh Chowk District- Lakhisarai

Akash Kumar Chaudhary S/O Anil Kumar Chaudhary Resident of Village-
Bajar Samiti Pir Baba Ke Pas, P.S.- Kabaiya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shaukat Alam, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-11-2024 Heard the parties.

2. The petitioner is in custody in connection with Ram Garh Chouk P.S. Case No. 174 of 2024 for the offence punishable under sections 30(a) and 32 of the Bihar Prohibition and Excise Act lodged on 04.10.2024 by the informant, Manan Kumar Singh.

3. As per the prosecution story, the informant alleged that upon patrolling and secret information, intercepted a motorcycle and upon search, there is recovery/seizure of 25 liters of mahua. This led to the FIR/arrest.

4. Learned counsel for the petitioner submits that only because of his criminal antecedent, implicated, if granted bail shall not indulge in such activities again and will be diligently appearing in the trial.



5. Learned APP opposes the prayer for bail.

6. Taking into account the submissions put forwarded by the parties as also that nothing has been recovered from his conscious possession, is in custody since 05.10.2024 (paragraph-4 of the petition), 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 Court of Additional District and Sessions Judge-Vth cum Special Excise Court No. 2nd, Excise Act, Lakhisarai, in connection with Ram Garh Chouk P.S. Case No. 174 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 one year 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)

Adnan/-

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