

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82687 of 2024

Arising Out of PS. Case No.-421 Year-2024 Thana- SHERGHATI District- Gaya

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PRADEEP KUMAR SON OF LATAN YADAV RESIDENT OF VILLAGE-
MAJHANPUR, PS- SHERGHATI, DISTICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-12-2024 It has been detected by this Court that there is

discrepancy in the signature made by the learned counsel

appearing on behalf of the petitioner, viz-a-viz the affidavit.

2. It is the case of the petitioner that by mistake,

different dates have been incorporated and realizing the same,

he wants to contribute to Patna High Court Legal Services

Committee a sum of Rs. 2,000/- to be paid today itself and the

receipt has to be submitted in the Court.

3. Heard the parties.

4. The petitioner is in custody in connection with

Sherghati P.S. Case No. 421 of 2024 for the offence punishable

under sections 30(a) of the Bihar Prohibition and Excise Act,

2022 lodged on 20.08.2024 by the informant, Ajit Kumar.

5. As per the prosecution story, on secret information,



a motorcycle was intercepted and there is recovery of total 84 liter country made liquor from the bag, which led to the FIR.

6. It is the case of the petitioner that only because of criminal antecedent, he has been taken into custody. Further, if granted bail, he shall be diligently appearing in trial.

7. Learned APP opposes the prayer for bail.

8. Taking into account the aforesaid submissions as also the fact that the petitioner is in custody since 01.10.2024 (para 4 of the petition), this Court is inclined to extend him the privilege of bail with conditions.

9. 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 Exclusive Special Judge Excise Court. No. V, Gaya in connection with Sherghati P.S. Case No. 421 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)

Vijay Singh/-

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