

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83087 of 2024

Arising Out of PS. Case No.-735 Year-2024 Thana- FATUA District- Patna

Shesh Gope @ Shesh Kumar Son of Late Mahipat Gope @ Late Mahipat Rai
Resident of Kewlatal, Imli Chauk Raipura, P.S.- Fatuha, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-12-2024

Heard the parties.

2. The petitioner is in custody in connection with Fatuha P.S. Case No. 735 of 2024 for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act lodged on 19.10.2024 by the informant, Sanjay Kumar Mishra.

3. As per the prosecution story, the police upon secret information, raided the house of the petitioner and recovered/seized 15.525 liter foreign liquor. This led to the FIR, arrest.

4. It is the case of the petitioner that the recovery/seizure is from a joint house and only because he has criminal antecedent, implicated. Further, if granted relief, he shall not indulge in such criminal activity again and shall be diligently appearing in trial.



5. Learned APP opposes the prayer for bail.

6. Considering the submissions put forward by the parties as also that an undertaking has been given that he shall be diligently appearing in trial , 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 Special Judge Excise, Patna city in connection with Fatuha P.S. Case No. 735 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 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)

Vijay Singh/-

U		T	
---	--	---	--

