

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80940 of 2024

Arising Out of PS. Case No.-178 Year-2024 Thana- RIVILGANJ District- Saran

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Golu Kr. Singh @ Golu Kumar Singh S/O Late Muni Singh R/O Village-
Naya Basti Loha tola ,P.S- Rivilganj.Dist- Saran at Chapra .

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kumari, Adv.

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-11-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Rivilganj P.S. Case No. 178 of 2024 for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2022 lodged on 17.06.2024 by the informant, Sandeep Kumar.

3. As per the prosecution story, the informant alleged that information got that from a motorcycle near Saryu river, liquor is being unloaded, the police reached there and recovered/seized 53.280 liters foreign liquor. This led to the FIR, arrest.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession, rather it is from Vikash Kumar who gave his name. Further,



though he has number of criminal antecedents, it date backs to the years 2018 to 2022 and if granted relief, is found indulge in any such activity, the prosecution side shall be free to take steps for the cancellation of the bail bond.

5. Learned APP for the State opposes the prayer submitting that he has criminal antecedent.

6. Taking into account the submissions put forward by the parties as also the fact that the recovery is from a motorcycle near Saryu river and an undertaking has been given that he will not be involved in any such criminal activity, is in custody since 28.08.2024 (para 4 of the petition), 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 2nd Exclusive Excise Judge, Saran at Chapra in connection with Rivilganj P.S. Case No. 178 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 *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial Court 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 one year to mark his attendance;

(iv) the petitioner shall in now 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 bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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