

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83220 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- SINDHUGAR District- Gaya

Raj Kumar Yadav S/o- Munilal Yadav Village-Machrak, P.S. Fatehpur,
District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, 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 Sindhugarh P.S. Case No. 99 of 2024 for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act lodged on 02.10.2024 by the informant, Ashok Kumar.

3. As per the prosecution story, the Police upon information, intercepted the motorcycle and from it, there is recovery/seizure of 100 liters of country-made liquor which led to the FIR/arrest.

4. Learned counsel for the petitioner submits that he does not owns the motorcycle, was a passer-by and wrongly implicated in the case. Further, he has no criminal antecedent and is in custody since 03.10.2024 (paragraph-4 of the petition).

5. Learned APP, Mr. Jitendra Kumar Singh opposes



the prayer for bail.

6. Taking into account the aforesaid submissions put forwarded by the parties as also that the petitioner does not own the motorcycle and have no criminal antecedent, 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) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Court No. V, Gaya, in connection with Sindhugarh P.S. Case No. 99 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)

Adnan/-

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