

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82142 of 2024

Arising Out of PS. Case No.-111 Year-2024 Thana- Manikpur District- Lakhisarai

Suraj Kumar S/o Gholtan Kora R/o vill - Mankhothiya, P.S.- Ladiyatar, Distt.-
Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Meena 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 Manikpur P.S. Case No. 111 of 2024 for the offence punishable under sections 274 and 275 of the Bharatiya Nyaya Sanhita and 30(a) and 32(iii) of the Bihar Prohibition and Excise Act lodged on 27.09.2024 by the informant, Dharmendra Kumar.

3. As per the prosecution story, the Police upon secret information, intercepted a motorcycle and upon search, 33 liters of country-made *mahua* recovered/seized. This led to the FIR/arrest.

4. Learned counsel for the petitioner submits that the Police only due to enmity has implicated him, though motorcycle belongs to him, is appearing for examination having no connection with it, do not have any criminal antecedent and



is in custody since 28.09.2024 (paragraph-4 of the petition).

5. Learned APP opposes the prayer for bail submitting that the motorcycle belongs to him.

6. Considering the submissions put forwarded by the parties as also the fact that the petitioner is a young person, a student and is in custody since 28.09.2024 having no criminal antecedent, 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 Additional District and Sessions Judge-IV-cum-Special Excise Court-I, Lakhisarai, in connection with Manikpur P.S. Case No. 111 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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