

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82169 of 2024

Arising Out of PS. Case No.-182 Year-2024 Thana- TIKAPATTI District- Purnia

Sujit Kumar Yadav Son of Hirday Yadav @ Hirdayalal Yadav Resident of
Village - Goriar Tarasi Tola, Ward No.5, P.S. - Tikapatti, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad 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 Tikapatti P.S. Case No. 182 of 2024 for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act lodged on 19.10.2024 by the informant, Raj Kumar Ram.

3. As per the prosecution story, the Police upon information raided the courtyard of Rakesh Kumar Yadav and there is recovery/seizure of 193.170 liters of foreign liquor. Though one person escaped, this petitioner who was allegedly serving as a liner was apprehended. Further, Bhola Kumar at the same time, came on a motorcycle after purchasing liquor and from it, there is recovery of 11.250 liters of foreign liquor (totalling 204.420 liters). This led to the FIR/arrest.

4. Learned counsel for the petitioner submits that the



courtyard belongs to the Rakesh Kumar Yadav, he was standing there, the Police has assigned the role of liner to him, has no criminal antecedent and is in custody since 20.10.2024 (paragraph-4 of the petition).

5. Learned APP opposes the prayer for bail.

6. Taking into account that the recovery/seizure is from the courtyard of Rakesh Kumar Yadav, he do not have any criminal antecedent and is in custody since 20.10.2024, 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 Excise Judge II, Purnea, in connection with Tikapatti P.S. Case No. 182 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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