

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82095 of 2024

Arising Out of PS. Case No.-306 Year-2024 Thana- NAUTAN District- West Champaran

=====

Omprakash Kumar Yadav @ Omprakash Kumar Son of Awadhesh Yadav R/O
Vill.- Shivrajpur ward no. 8, P.S.- Nautan, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Brij Kishor Mishra, Advocate
For the State	:	Mr. Kumar Ranjit Ranjan, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-11-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Nautan P.S. Case No. 306 of 2024 for the offences punishable under Sectionm 30(a) of the Bihar Prohibition and Excise Act, lodged on 22.08.2024 by the informant, Aslam.

3. As per the prosecution story, the informant alleged that during the course of patrolling, upon secret information, intercepted a motorcycle and there is recovery/seizure of 25.98 liters of foreign liquor, this led to the F.I.R.

4. Learned counsel for the petitioner submits that the does not own the vehicle, he is in custody since 22.08.2024 (paragraph no.4 of the petition) and implicated because he has criminal antecedent.



5. Learned APP for the State opposes the prayer for bail.

6. Taking into account the submissions put forward by the parties as also the fact that the petitioner do not own the vehicle and is in custody since 22.08.2024, this Court is inclined to extend him the privilege of bail.

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 Exclusive Special Judge, Excise-I, Bettiah, West Champaran in connection with Nautan P.S. Case No. 306 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)

vinayak/-

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

