

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84688 of 2024

Arising Out of PS. Case No.-293 Year-2024 Thana- Banjariya District- East Champaran

RAHUL KUMAR S/o HARENDRA SAH @ HARENDARSAH R/O
VILLAGE- SHYAMPUR KOTARAHAN, P.S- NAUTAN, DISTRICT-
WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Adv.
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-12-2024 Heard the parties.

2. The petitioner is in custody in connection with Banjariya P.S. Case No. 293 of 2024 for the offence punishable under sections 274, 275 of BNS and Section 30(a) of the Bihar Prohibition and Excise Act, 2022 lodged on 14.10.2024.

3. As per the prosecution story, the informant upon information during patrolling duty on NH 28(A), intercepted a TVS scooty and there is recovery/seizure of 9.720 liter foreign liquor. This led to the FIR.

4. It is the case of the petitioner that he has no criminal antecedent, only because the scooty belongs to him, got implicated. Further, he is in custody since 15.10.2024.

5. Learned APP opposes the prayer for bail submitting



that he owns the vehicle.

6. Taking into account the submissions put forward by the parties as also that he is in custody since 15.10.2024 having no criminal antecedent, is a young boy of 22 years, 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 Court of Exclusive Special Excise Court No. 1, Motihari, East Champaran in connection with Banjariya P.S. Case No. 293 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)

Vijay Singh/-

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