

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82817 of 2024

Arising Out of PS. Case No.-692 Year-2024 Thana- Excise P.S. District- Nawada

Dilip Kumar S/o Late Suresh Yadav Resident of Village- Bhawari Khurd
Ward No 14, Police Station - Fetehpur, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Kshem Sharma, Advocate
For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-12-2024 Heard Ms. Kshem Sharma, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with Excise P.S. Case No. 692 of 2024 for the offence punishable under Sections 30(A), 47 of the Bihar Prohibition and Excise (Amendment) Act, 2018 and 2021 lodged on 04.10.2024 by the informant, Rupesh Kumar.

3. As per the prosecution story, the informant has alleged that during patrolling, a motorcycle was intercepted and there is recovery/seizure of 150 liters of country made liquor which led to the FIR.

4. It is the case of the petitioner that the motorcycle does not belong to him, he being the pillion rider, had no knowledge about the presence of liquor and has already suffered



by being in custody since 04.10.2024 though he has no criminal antecedent.

5. Learned APP opposes the prayer.

6. Taking into account the aforesaid submission put forward by the parties as also he is a student, is in custody since 04.10.2024 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) with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Court-II, Nawada, in connection with Excise P.S. Case No. 692 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 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 next 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)

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