

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84267 of 2024

Arising Out of PS. Case No.-706 Year-2024 Thana- Excise P.S. District- Nawada

Sachin Kumar S/O Ranjit Prasad Yadav @ Ranjit Patel R/O Village- Kaji
Kataar, Ward No 14 P.S- Akabarpur, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Suruchi Anand, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-12-2024 Heard Ms. Suruchi Anand, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with Excise P.S. Case No. 706 of 2024 for the offence punishable under Sections 30(a) & 47 of the Bihar Prohibition and Excise Act lodged on 08.10.2024 by the informant, Rupesh Kumar.

3. As per the prosecution story, the informant upon secret information, intercepted a motorcycle and there is recovery/seizure of 39 liters of country made liquor.

4. It is the case of the petitioner that the motorcycle does not belong to him and only being a pillion rider, he has been in custody since 08.10.2024 having no criminal antecedent.

4. Learned APP opposes the prayer.



5. Considering the aforesaid submission put forward by the parties as also the fact that the petitioner does not own the motorcycle and has no criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

6. 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 Court, Excise-II, Nawada, in connection with Nawada Excise P.S. Case No. 706 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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