

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83705 of 2024

Arising Out of PS. Case No.-148 Year-2024 Thana- R S P.S. District- Araria

Ramdeo @ Ramdev Yadav S/o- Vajalaal Yadav @ Vajlal Yadav Resident of
Parkauli Ward no 07, PS- Arer District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Advocate

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-12-2024 Heard Mr. Fazle Karim, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with R.S.P.S. Case No. 148 of 2024 for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act lodged on 08.10.2024 by the informant, Puja Kumari.

3. As per the prosecution story, the informant alleged that during patrolling and on secret information, a Honda City Car was intercepted and there is recovery/seizure of 80.640 liters of illegal liquor. This led to the FIR/arrest.

4. It is the case of the petitioner that he being the Driver had no knowledge about the presence of liquor. He is not the owner of the car though the same has not been incorporated in the petition. He categorically submits that the petitioner is not



owner of the car.

5. Learned APP opposes the prayer.

6. Taking into account the aforesaid facts as also the fact that he is driver having no criminal antecedent, is in custody since 08.10.2024, this Court is inclined to extend him the privilege of bail with conditions. However, if it is found that the petitioner indeed is the owner of the car contrary to what has been submitted during the course of argument, the order shall become infructuous.

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-01, Araria, in connection with R.S.P.S. Case No. 148 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)

Ravi/-

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

