

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84198 of 2024

Arising Out of PS. Case No.-51 Year-2024 Thana- SONAMANI District- Araria

Dhrup Lal Mukhiya @ Dhruplal @ Dhublal Mukhiya Son of Late Kare
Mukhiya Resident of Village - Megra (Mehdipur), P.S. - Kursakanta, District -
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-12-2024 Heard the parties.

2. The petitioner is in custody in connection with
Sonamani Godam P.S. Case No. 51 of 2024 for the offence
punishable under section 30(a) of the Bihar Prohibition and
Excise Act lodged on 09.09.2024 by the informant, Devendra
Singh.

3. As per the prosecution story, the informant alleged
that on secret information, the accused were apprehended
carrying sack and from it, there is recovery of 105 liters of
country-made liquor. This led to the FIR/arrest.

4. Learned counsel for the petitioner submits that he
had no role to play in the alleged recovery but only because of
his criminal antecedent, got implicated, is in custody since



09.09.2024 (paragraph-4 of the petition) and the last submission is that without accepting the allegation and/or the outcome of the present case, he intends to contribute Rs. 10,000/- to the District Legal Services Authority, Araria for the purchase of Steel Benches for the Civil Court Campus of Araria Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer for bail.

6. Taking into account the aforesaid facts as also the period of custody and an undertaking has been given that he will be diligently appearing in trial, this Court is inclined to extend him the privilege of bail with conditions subject to payment of Rs. 10,000/- to the District Legal Services Authority, Araria for the purchase of Steel Benches for the Civil Court Campus of Araria Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt of the purchase be submitted to the trial Court by the DLSA, Araria.

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 Exclusive Spl Excise Court-2, Araria, in connection with Sonamani Godam P.S. Case No. 51 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)

Adnan/-

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