

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84141 of 2024

Arising Out of PS. Case No.-923 Year-2024 Thana- BIHTA District- Patna

Vishal Kumar S/O Late Pappu Saw Resident of Village- Tara Nagar, Sikariya,
P.S- I.I.T. Amahara, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Adv.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-12-2024 Heard Mr. Raj Kumar, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with
Bihta P.S. Case No. 923 of 2024 for the offence punishable
under sections 30(a) of the Bihar Prohibition and Excise Act,
2022 lodged on 30.09.2024 by the informant, Varun Kumar.

3. As per the prosecution story, the police intercepted
a vehicle during the patrolling at Patna-Ara highway and
recovered/seized from the tempo, 300 liter country made liquor.
This led to the FIR.

4. It is the case of the petitioner that he being the
driver not the owner, had no knowledge about the presence of
liquor in it, has no criminal antecedent and is in custody since
02.10.2024.



5. Learned APP, Mr. Jitendra Kumar Singh opposes the prayer for bail submitting that from the tempo, the recovery has been made.

6. Considering the submissions put forward by the parties as also that the petitioner does not own the vehicle nor has criminal antecedent, he is in custody since 02.10.2024, 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 Special Excise Judge, Danapur in connection with Bihta P.S. Case No. 923 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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