

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84090 of 2024

Arising Out of PS. Case No.-231 Year-2024 Thana- AMBA District- Aurangabad

Chhotu Kumar S/o Suresh Mehta R/o vill- Dewariya, P.s. - Kutumba, Distt.-
Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-12-2024 Heard Mrs. Leelawati Kumari, learned counsel for
the petitioner and the State.

2. The petitioner is in custody in connection with
Amba P.S. Case No. 231 of 2024 for the offence punishable
under section 30(a) of the Bihar Prohibition and Excise Act
lodged on 09.10.2024 by the informant, Pankaj Kumar Jha.

3. As per the prosecution story, the Police upon secret
information, intercepted a Passion Pro motorcycle and from its
dicky recovered/seized 9.72 liters foreign liquor and 1.8 liters of
country-made liquor, totalling 11.52 liters. This led to the FIR.

4. Learned counsel for the petitioner submits that only
because of his criminal antecedent, implicated. The vehicle does
not belongs to him, is in custody since 10.10.2024 (paragraph-4
of the petition) and if granted bail, he shall be diligently



appearing in trial.

5. Learned APP opposes the prayer for bail.

6. Taking into account the aforesaid facts as also that he is in custody since 10.10.2024 and does not own the vehicle, 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 Judge, Excise, First, Aurangabad, in connection with Amba P.S. Case No. 231 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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