

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82811 of 2023

Arising Out of PS. Case No.-303 Year-2023 Thana- SAHEBPUR KAMAL District-
Begusarai

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Gulshan Kumar Son Of Ranvir Singh R/O Village- Matihani, P.S.- Matihani,
Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Kamal
P.S. Case No. 303 of 2023 registered for the offences punishable
under Sections 30(a) and 32(II) of the Bihar Excise Act, 2018.

3. As per the prosecution, 216 litres of illicit liquor
was recovered from two cars in question and the petitioner was
apprehended on the spot.

4. Learned counsel for the petitioner submits that
petitioner is in custody since 10.11.2023 and bears no criminal
antecedent. He further submits that the petitioner was not the
owner of the alleged vehicles and has no concern with the
alleged wine. He also submits that the petitioner has nothing to



do with the alleged occurrence and nothing has been recovered from the conscious possession of the petitioner. He further submits that the seizure list has not been prepared as per law.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-II, Begusarai in connection with Kamal P.S. Case No. 303 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Alok Kumar Pandey, J)

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