

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84139 of 2024

Arising Out of PS. Case No.-988 Year-2024 Thana- Excise P.S. District- Aurangabad

Rahul Kumar Son of Umesh Yadav Resident of Village- Pakaha, P.S
-Mufassil, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Singh, Adv.
For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-12-2024 Heard Mr. Ashok Singh, learned counsel for the
petitioner and Mr. Manoj Kumar, learned APP.

2. The petitioner is in judicial custody in connection with Excise P.S. Case No. 988 of 2024 for the offences punishable under Sections 30(a)/32(3) of the Bihar Prohibition and Excise Act, lodged on 03.10.2024 by the informant, Sarvjeet Kumar.

3. As per the prosecution story, the informant alleged that during checking of the vehicles, one Indigo Car was intercepted and there is recovery/seizure of 129.600 litres of country made liquor. Accordingly, the FIR/arrest.

4. Learned counsel for the petitioner submits that he is not the owner of the car, has no knowledge about the presence of the liquor, is in custody since 04.10.2024 (para-4 of the petition). The last submission is that irrespective of the outcome



of the present case and or accepting the allegation he intends to pay Rs.10,000/- (Ten thousand) to the District Legal Services Authority, Aurangabad, for installation of steel benches/beautifiction in the Civil Court campus, Aurangabad.

5. Learned APP opposes the prayer submitting that he was driving the car.

6. Considering the submissions put forward by the parties as also the fact that the petitioner does not own the car, has remained in custody since 04.10.2024, this Court is inclined to extend him the privilege of bail, subject to the payment of Rs. 10,000/- (Ten thousand) through Bank draft issued by the local State Bank of India to the District Legal Services Authority, Aurangabad, for installation of steel benches/beautification in the Civil Court campus, Aurangabad. A receipt thereof has to be submitted before the Trial court, Aurangabad.

7. Let the petitioner, above named, 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 Special Judge, Excise Court No.2, Aurangabad in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors 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 month 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)

perwez

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

