

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1751 of 2024

Arising Out of PS. Case No.-564 Year-2023 Thana- GOVINDGANJ District- East
Champaran

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Sandeep Kumar S/O-Suresh Mahto R/O Vill- Koerigawa Bin Toli, P.S
Sangrampur . Distt- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No. 2, Advocate
For the Opposite Party/s : Ms. Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Govindganj (Areraj) P.S. Case No.564 of 2023, lodged on
06.10.2023, under Sections 272/273/414 of the Indian Penal
Code and under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. As per the prosecution, petitioner is alleged to have
been apprehended with 25 liters of country-made liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the said motorcycle on which liquor is alleged to have been
recovered does not belong to the petitioner. Counsel submits



that petitioner is in custody since 07.10.2023. Charge sheet has already been filed.

5. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean. He is accused in one more case relating to excise.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No.1, East Champaran at Motihari, in connection with Govindganj (Areraj) P.S. Case No.564 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) One of the bailor should be the family member 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 bonds by the Trial Court itself;



(iii) The petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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 the bail bonds.

(Dr. Anshuman, J)

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