

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1852 of 2024

Arising Out of PS. Case No.-195 Year-2023 Thana- NAUTAN District- Siwan

Arbind Kumar Bhagat Son of Ram Krishna Bhagat R/o Village - Hathua
Bujurg, P.S.- Hathua, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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
Nautan P.S. Case No.195 of 2023, lodged on 14.10.2023, under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

3. As per the prosecution, recovery of 370.620 liters
of foreign liquor is subject matter of the case.

4. Learned counsel for the petitioner submits that the
said recovery has been made in Maruti Suzuki Brezza Car.
Counsel submits that the petitioner is alleged to have been
apprehended from the car. Counsel further submits that the
petitioner is not the owner of the car. His antecedent is clean
and he is in custody since 15.10.2023. Charge sheet has already



been filed.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Court No.II, Siwan, in connection with Nautan P.S. Case No.195 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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