

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4895 of 2024

Arising Out of PS. Case No.-409 Year-2019 Thana- Excise P.S. District- East Champaran

Shekh Jasim S/O Shekh Samshul @ Shekh Samsul Haque R/O Village-
Budhuahan, Chhauradano, P.S- Chhauradano, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Trial No.5087 of 2022, arising out of Excise P.S. Case No.409
of 2019, lodged on 09.05.2019, under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution, total recovery of 420 liters
of Nepali liquor has been the subject matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is in custody since 10.10.2023 having no criminal
antecedent. Counsel submits that charge sheet has already been
filed in this case. He further submits that the said recovery was
made from his motorcycle, which he has given to his friend and
by the wrong done by his friend his name has figured in this



case.

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 Special Judge, Excise Court No.2, Motihari, East Champaran, in connection with Trial No.5087 of 2022, arising out of Excise P.S. Case No.409 of 2019, 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 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

(iv) 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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