

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1859 of 2024

Arising Out of PS. Case No.-324 Year-2023 Thana- NADI P.S. District- Patna

Sanjay Rai @ Sanjay Kumar Son Of Mahendra Rai Resident Of Village-
Aalampur, Ps- Nadi, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jay Ram Prasad, Advocate
		Mr. Deepak Kumar, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar No.3, 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
Nadi P.S. Case No.324 of 2023, lodged on 02.10.2023, under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

3. As per the prosecution, recovery of 180 liters of
liquor is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the said recovery has been made from a three wheeler. As
soon as the police reached there, the persons started fleeing
from the place of occurrence and none was apprehended but the



persons present there named the petitioner and others. The petitioner is in custody since 04.12.2023. Charge sheet has already been submitted.

5. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean. The petitioner is accused in one more case of 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, Patna City, Patna, in connection with Nadi P.S. Case No.324 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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