

Arising Out of PS. Case No.-77 Year-2024 Thana- Patauna District- Madhubani

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... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vikas Kumar Jha, Advocate

For the State : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with G.R. No. 1630 of 2024 arising out of Patauna P.S. Case No.77 of 2024, dated.19.11.2024 registered for the offences punishable under Sections 274, 275 of the B.N.S., 2023 and 30(a)of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, the petitioner was driving a motorcycle with liquor and seeing the police he fled away leaving behind the motorcycle and liquor.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that as a matter of fact, nothing has



been recovered from the personal possession of the petitioner nor he was present on the alleged place of occurrence and he has nothing to do with the alleged offence. In fact, the whole case is based only on suspicion. Even the motorcycle does not belong to the petitioner.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with G.R. No. 1630 of 2024 arising out of Patauna P.S. Case No.77 of 2024, subject to the conditions as laid down under



Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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