

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78976 of 2024

Arising Out of PS. Case No.-255 Year-2024 Thana- SHEOHAR District- Sheohar

Aman kumar S/O Uma Shanker Rai R/O Village- Sundarpur Kharauna, P.S-
Sheohar, Distt.- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 20-01-2025 Heard Mr. Amrendra Kumar, learned counsel for the
petitioner and Mr. Jitendra Kumar Singh, learned APP.

2. The petitioner is in judicial custody in connection with Sheohar P.S. Case No. 255 of 2024 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 03.09.2024 by the informant, Ramayan Kumar.

3. As per the prosecution story, the informant alleged that on secret information, that this petitioner along with his father have stored foreign liquor in the hut, the same was raided and there is recovery/seizure of 145.650 litres of foreign liquor. Accordingly, the FIR/arrest.

4. It is the case of the petitioner that recovery/seizure is from a hut which has access to everyone, he has got no criminal antecedent and father has been granted relief *vide* Cr.



Misc. No. 77527 of 2024. The last submission is that irrespective of the outcome of the present case and or accepting the allegation he intends to pay Rs.30,000/- (Thirty thousand) to the District Legal Services Authority, Sheohar, for installation of steel benches/beautification in the Civil Court campus, Sheohar.

5. Learned APP opposes the prayer submitting that involvement of this petitioner cannot be ruled out.

6. Considering the submissions put forward by the parties as also the fact that the petitioner has got no criminal antecedent and is in custody since 04.09.2024, his father Uma Shankar as stated above, has already been granted relief, this Court is inclined to extend him the privilege of bail, subject to the payment of Rs. 30,000/- (Thirty thousand) through Bank draft issued by the local State Bank of India to the District Legal Services Authority, Sheohar, for installation of steel benches/beautification in the Civil Court campus, Sheohar. A receipt thereof has to be submitted before the Trial court, Sheohar.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, (Excise) Sheohar in connection with



aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member/relative 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 bond by the Trial Court itself;

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

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

(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 his bail bonds.

(Rajiv Roy, J)

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