

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82165 of 2024

Arising Out of PS. Case No.-2128 Year-2024 Thana- Excise P.S. District- Patna

Raju Kumar Son of Mahesh Prasad Resident of Village - Dohara, P.S. -
Dhanarua, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-02-2025 Heard the parties.

2. The petitioner is in custody in connection with
Excise Patna P.S. Case No. 2128 of 2024 for the offence under
sections 30(a) & 56(b) of Bihar Prohibition and Excise Act,
2016 lodged on 09.09.2024 by the informant, Ajit Kumar.

3. As per the prosecution story, the informant alleged
that on secret information, it reached near the Rajendernagar
Dhanush bridge and on suspicion, a Fiat car was intercepted and
there is recovery/seizure of 420 liter country made liquor. This
led to the FIR.

4. Learned counsel for the petitioner submits that the
Fiat car does not belong to him, he was only a passenger but got
implicated and the next submission is that he has got no
criminal antecedent.

5. Further submission is that similarly situated co-



accused persons, namely, Manish Kumar (Cr. Misc. No. 79465 of 2024 and Dipu Kharwar (Cr. Misc. No. 80303 of 2024) have been granted relief.

6. Learned APP opposes the prayer for bail.

7. Considering the submissions put forward by the parties as also the fact that he is not the owner of the vehicle, has no criminal antecedent and is in custody since 10.09.2024 (para 4 of the petition) and similarly situated co-accused persons, as state above, have been extended relief, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Exclusive Spl. Judge Excise III at Patna in connection with Excise P.S. Case No. 2128 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) petitioner shall appear on each and every date before the Trial 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 fortnight for six months 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)

perwez

U		T	
---	--	---	--

