

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84833 of 2024

Arising Out of PS. Case No.-227 Year-2024 Thana- MAKER District- Saran

Praveen Kumar Son of Ramniwas Gordan Singh Resident of Village- Rohat,
P.S.- Sadar (Sonipat), District- Sonipat ,Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 85052 of 2024

Arising Out of PS. Case No.-227 Year-2024 Thana- MAKER District- Saran

Vijay Kumar S/o- Ramdhari Sakheri Damkan Resident of Village- Gohana
PS- Sadar Police Station- Sonipat District-Sonipat Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 84833 of 2024)
For the Petitioner/s : Ms. Maria Nazeer, Adv.
Mr.Anjani Parashar, Adv
For the Opposite Party/s : Mr.Madhura Nand Jha, APP
(In CRIMINAL MISCELLANEOUS No. 85052 of 2024)
For the Petitioner/s : Ms. Maria Nazeer, Adv
Mr.Anjani Parashar, Adv.
For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-02-2025 Heard Ms. Maria Nazeer, learned counsel for the

petitioners in both the petitions and the learned APPs.

2. The petitioners are in custody in connection with
Maker P.S. Case No. 227 of 2024 for the offence under Sections
30(a) of the Bihar Prohibition and Excise Act lodged on
27.08.2024 by the informant, Vikash Kumar.

3. As per the prosecution story, the informant alleged



that upon information, a vehicle was intercepted and there is recovery of 120 liters of English wine. Accordingly, the FIR followed by the arrest.

4. Learned counsel for the petitioners submits that they are not the owners of the vehicle, both of them have no criminal antecedent and are in custody since 27.08.2024 (paragraph – 4 of the petition). Further, one of the accused, namely, Suman has been granted bail in Cr. Misc. No. 76463 of 2024 (Annexur-2) to the petition.

5. Learned APP opposes the prayer for bail submitting that they were found in the vehicle from which the recovery/seizure was made.

6. Taking into account the aforesaid submissions as also the period of custody, both of them have no criminal antecedent and one of the accused has been granted bail, as state above, in that background, this Court is inclined to extend them the privilege of bail with conditions.

7. Let the petitioners, named above, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned 3rd Exclusive Special Excise Court, Saran at Chapra, in connection with Maker P.S. Case No. 227 of 2024 subject to the



following conditions:

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

(ii) the petitioners 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 her bail bond by the Trial Court itself;

(iii) the petitioners 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;

(iv) the petitioners 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 their bail bond by the Trial Court itself;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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