

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83819 of 2024

Arising Out of PS. Case No.-330 Year-2024 Thana- PATEPUR District- Vaishali

SACHIN KUMAR Son of Vijay Roy Resident of village - Sarangpur, Police Station - Halai O.P. (Chakmehasi) and District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar Dubey, Advocate
For the Opposite Party/s : Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 16-01-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Patepur P.S. Case No. 330 of 2024 instituted for the offences punishable under Sections 30(a), 32(2), 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 3149.64 litres of liquor was recovered from three pick-up van and one truck. Petitioner was arrested on the spot.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted



that petitioner is neither the owner nor the driver of the vehicles in question. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 02.11.2024 and has five criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Patepur P.S. Case No. 330 of 2024 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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