

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.654 of 2020**

Arising Out of PS. Case No.-645 Year-2019 Thana- LAKHISARAI District- Lakhisarai

RAJIV KUMAR Son of Subhash Prasad Chaurasiya Resident of Village -  
Bodhnagar, Indupur, P.S.- Barahiya, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                                                         |
|----------------------------|---|-------------------------------------------------------------------------|
| For the Petitioner/s       | : | Mr. A. K. Thakur<br>Mr. Shashank Shekhar<br>Ms.Babita Kumari, Advocates |
| For the Opposite Party/s : |   | Mr. Sanjay Kumar Singh, APP                                             |

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      20-01-2020                      Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 171 litres foreign liquor from a Piaggio vehicle which was left by the driver after seeing the police.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. Nothing was recovered from possession of petitioner and petitioner is not the owner of said vehicle as he had sold the vehicle on 19.12.2015 to one Nepali Mistry and the vehicle was in possession of Nepali Mistry and he was also the driver of the



vehicle in question. Petitioner has no criminal antecedent and he is in custody since 23.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Lakhisarai P.S. Case No.645/2019 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

**(S. Kumar, J)**

Sanjay/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

