

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14180 of 2021

Arising Out of PS. Case No.-237 Year-2020 Thana- BARHARA KOTHI District- Purnia

RAJESH KUMAR @ RAJESH KUMAR YADAV Son of Late Thakur Yadav
Resident of Village- Shishava, Ward No. -3, P.S.- Barhara (Raghuvansh
Nagar), District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Praveen

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 09.10.2020 in connection with Barhara (Raghuvansh Nagar) P.S. Case No. 237/2020 registered for the offences punishable under Sections 30(a)/41/47 of the Bihar Prohibition and Excise Act and Section 272/273/34 of the Indian Penal Code.

As per the prosecution case, 225.780 litres of foreign liquor has been recovered from the house of the petitioner.

It is submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner and recovery has been made from S-presso car which was parked inside the courtyard of the house of the petitioner. It is further submitted that petitioner is neither the driver nor the owner of



the aforesaid car and the house in question is in joint family possession. Petitioner has got no criminal antecedent and he is in custody since 09.10.2020.

Considering the aforesaid facts and circumstances coupled with the fact that petitioner bears clean antecedent, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Special Judge (Excise), Purnea, in connection with (Raghuvansh Nagar) P.S. Case No. 237/2020, subject to following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

Saif/-

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

