

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.18022 of 2021**

Arising Out of PS. Case No.-295 Year-2018 Thana- RAMPUR District- Gaya

SANJEEV KUMAR @ SANJIV KUMAR @ ROCKY SON OF
YOGENDRA YADAV RESIDENT OF VILLAGE- KOKARSA, P.S.-
HULASGANJ, DISTRICT- JEHANABAD

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 14-07-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Rampur P.S. Case No. 295 of 2018 registered for the offences punishable under Section 30(a) of the Excise Act, 2016.

As per the prosecution story, the informant got secret information that the petitioner is selling illegal wine which is kept in the rented house of one Nawal Kishore Singh. The informant reached there and upon seeing the police one person fled away. Upon search 59.25 litres illicit liquor has been recovered from the



said house.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that nothing has been recovered from the conscious possession of the petitioner rather the liquor has been seized near the house of one Nawal Kishore Singh. Learned counsel submits that the petitioner is in custody since 02.01.2021 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the recovery of the illicit liquor has been made allegedly near the boundary wall of the house of one Nawal Kishore Singh, submission is that the petitioner has no concern with the said house, he is in custody in connection with this case since 02.01.2021, he has got one criminal antecedent in which he is on bail, considering the submissions and the period of custody of the petitioner, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya in connection with Rampur P.S. Case No. 295 of 2018 subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :



(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

