

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.19393 of 2021**

Arising Out of PS. Case No.-29 Year-2020 Thana- SIWAIPATTI District- Muzaffarpur

SANU YADAV @ SANU KUMAR S/O RANJEET KUMAR @ RAJEEV  
KUMAR RAI R/o village- Gosaipur, P.S.- Siwaipatti, District- Muzaffarpur  
... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Ms.Bela Singh,Advocate  
For the Opposite Party/s : Mr.Akhileshwar Dayal,APP

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

2      16-07-2021                      Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Siwaipatti P.S. Case No. 29 of 2020 registered for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code and Sections 30(a) and 30 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that as per the prosecution story, on secret information that this petitioner along with his associates are hoarding the illicit liquor in the farms of Sadhuaran Rai and are also involved in trading of illicit liquor, the informant along with other police personnel reached the alleged place



of occurrence. On seeing the police team, accused persons started fleeing away. On search of the said place, 396 liters of illicit liquor has been recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has no concern with the allegedly recovered illicit liquor. The petitioner is in custody since 22.12.2020 having no criminal antecedent.

Learned APP 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 illicit liquor has been recovered from the maize field of one Sadusaran Rai near the house of Binod Rai, the petitioner is in custody in connection with this case since 22.12.2020, investigation against him is complete but the trial is not likely to take place in near future, he has otherwise no criminal antecedent, this Court directs release of the petitioner above named on bail on furnishing of bail bonds 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 Act, Muzaffarpur in connection with Siwaipatti P.S. Case No. 29 of 2020, subject to the conditions 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 is suspected, and

(c) that such persons shall not directly or indirectly make and 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.

The application stands allowed.

**(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'.

