

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19807 of 2021**

Arising Out of PS. Case No.-335 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

RAUSHAN KUMAR SON OF KAMESH KUMAR RAI R/O VILLAGE-
KARHATIYA BUZURG, P.S.- GORAUL (KATAHARA O.P.), DISTRICT-
VAISHALI.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms.Kanchan Kumari, Advocate

For the Opposite Party/s : Mr.APP.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 15-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Hajipur Sadar P.S. Case No. 335 of 2020 registered for the offences punishable under Section 414 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2018.

According to prosecution case, total 1134 litres of foreign liquor was recovered from a pick up van and a motorcycle.

Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence. Name of the petitioner has been transpired in the confessional statement of co-accused. Learned counsel further submits that nothing has been recovered from possession of the petitioner and he is in custody since 02.11.2020. Learned counsel further submits that co-accused Dheeraj Kumar has been granted regular bail by a co-ordinate Bench of this Court vide order dated 22.09.2020 passed in Cr. Misc. No. 24237 of 2020.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 2nd cum Special Judge, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 335 of 2020 with 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 and on his absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

(Rajesh Kumar Verma, J)

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