

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44889 of 2021

Arising Out of PS. Case No.-218 Year-2020 Thana- BIDUPUR District- Vaishali

Vinod Rai @ Pramod Rai @ Jatai Rai, aged about 30 years, son of Nagir Rai @ Nageshwar Rai, Resident of Village-Nawnagar, P.S.-Bidupur, District-Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-12-2021 Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in connection with Bidupur P.S. Case No. 218 of 2020 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition & Excise Act, 2018.

The prosecution case is that on 17.06.2020 the informant received a confidential information that Pramod Rai @ Jatai Rai of village Nawanagar under P.S-Bidupur has brought consignment of illegal foreign liquor by a boat through



the river route and the same is being loaded over a pickup bearing registration no. BR-1W-3231. It is alleged that upon raid at the said place in pursuance to said information 2 to 3 persons were observed loading some cartons over a pickup but the said persons upon witnessing police fled away therefrom. The further prosecution case is that thereafter search of the pickup bearing BR-1W-3231 was made in presence of search and seizure witnesses and thereupon total 201.525 liter India made foreign liquor was recovered. Accordingly, seizure was prepared and FIR has been instituted.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He has further submitted that it appears from the F.I.R itself that the alleged liquor has been recovered from one pick up van bearing registration no. BR1W 3231. Learned counsel for the petitioner has further submitted that neither the petitioner is driver nor the owner of the vehicle in question. He has further submitted that nothing has been recovered from the conscious possession of the petitioner. That the petitioner is languishing in jail since 25.03.2021.

The learned Additional Public Prosecutor opposed the



prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, 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-II-cum Excise Court, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 218 of 2020 subject to the 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.

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

(Rajesh Kumar Verma, J)

siddharthkr/-

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

