

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49669 of 2021

Arising Out of PS. Case No.-186 Year-2021 Thana- PATNA RAIL P.S. District- Patna

Rudal Kumar @ Kumar Rudal Raj Son of Nand Yadav Resident of Village -
Dayalchak, P.S.- N.T.P.C. Barh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-12-2021 Let the defects, if any, be removed within four weeks
of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Special Case No.4021 of 2021 arising out of Rail Patna
Junction P.S.Case NO. 186 of 2021 for the offences punishable
under Section 273 of the Indian Penal Code and section 30(a)
of the Bihar Prohibition and Excise Act 2016.

On secret information, search was made in a train in
which six person were carrying total 250.140 liters of wine.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and has been falsely implicated
in this case. Learned counsel further submits that as per F.I.R



the said recovery has been made from a coach no. 5 and 6 near the premises of Patna Junction. Petitioner is in jail custody since 04.07.2021.

The learned A.P.P opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties and period of detention of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, Muzaffarpur in connection with Special Case No. 4021 of 2021 arising out of Rail patna Junction P.S.Case No. 186 of 2021 ,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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

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



3. 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 petitioners have concealed their 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)

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