

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6556 of 2021**

Arising Out of PS. Case No.-367 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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SANJEEV RAJAK @ NANHAKI Son of Bhola Rajak Resident of Mohalla-
Imamganj, Shyam Kothi, P.S.- Town, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur
For the Opposite Party/s : Mr.A.G

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 16-04-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner seeks bail in Town P.S. Case No. 367 of

2020, registered for the offence punishable punishable under

Sections 414, 34 of the Indian Penal Code and section 30(a) of

the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, co-accused Deepak

Kumar Rajak @ Baua was arrested with Scorpio vehicle and

upon search 475.17 litres of foreign liquor has been recovered

from the said Scorpio. Deepak Kumar Rajak @ Baua disclosed



the name of this petitioner as the person who fled away after seeing the police party.

It is submitted that no recovery has been made from conscious possession of this petitioner. Petitioner is neither the owner nor the driver of vehicle in question. Petitioner has no concern with the seized liquor. Petitioner is in custody since 19.10.2020 having no criminal antecedent, as stated in para 3 of the petition.

Considering the fact that no recovery has been made from conscious possession of the petitioner and bears clean antecedent, the petitioner above-named, is directed to be enlarged 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 Special Judge Excise Act, Muzaffarpur in connection with Town P.S. Case No. 367 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.



(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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