

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11236 of 2021**

Arising Out of PS. Case No.-547 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

Ram Kumar Yadav @ Ramu @ Ram Kumar Rai aged about 27 years,
Gender-Male, Son of Late Dhanush Prasad Yadav Resident of Village -
Lalpur, Ward No. 03, P.S.- Runnisaidpur, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Advocate with Mr. Vijay
Anand, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

3 16-07-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2. Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

3. Heard learned senior counsel for the petitioner and learned counsel for the State

4. The petitioner seeks bail in Runnisaidpur PS Case No. 547 of 2019, instituted for the offence under Sections 30(a), 30(g) and 41 of the Bihar Prohibition and Excise Act, 2016.

5. The prosecution case is that an information has been



received by the police that two co-accused, namely, Shyam Babu Yadav and Bhola Rai are indulged in illegal business of liquor. The police, thereafter, have recovered large quantity of liquor concealed by various co-accused persons. Total 895.305 litres liquor has been recovered.

6. The learned senior counsel for the petitioner submits that one of the co-accused persons, namely Sukhari Mukhiya @ Chhotu Mukhiya, who has been apprehended from near the recovered liquor, has been allowed bail in Cr. Misc. No. 20160 of 2020. From the possession of petitioner, there is no recovery and his implication is based on his criminal antecedents, details of which have been mentioned in paragraph No.3 of the bail petition. The petitioner is in custody since 06.10.2020.

7. The learned APP representing the State has opposed the prayer for bail.

8. Considering the rival submissions, 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 District and Sessions Judge-II-cum Special Judge (Excise Act) Sitamarhi**, in connection with **Runnisaidpur PS Case No. 547 of 2019, GR Case no. 1558 of 2019**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail



bond will be liable to be cancelled

(Madhuresh Prasad, J)

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