

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2567 of 2022

Arising Out of PS. Case No.-151 Year-2020 Thana- RAGHOPUR District- Vaishali

Rahul Kumar S/O Surendra Rai Resident Of Village - Litiyahi, P.S. -
Raghopur, District - Vaishali (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhirendar Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 22-06-2022 Let the defects, if any, be removed within four
weeks from today.

Heard Mr. Dhirendar Kumar, 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 Raghopur(Rustampur O.P) P.S.Case No.
151 of 2020 for the offences punishable under Sections
30(a) of the Bihar Prohibition & Excise Act 2018.

As per the prosecution case, it is alleged that on
secret information, that co-accused Pintu Kumar kept
liquor in his house , the police party raided his house and
caught him and from his possession total 76.830 liters



Indian made foreign liquor was recovered. It is also alleged that petitioner along with Jitendar Kumar were also found involved in the trade of illicit liquor.

It is submitted by the learned counsel for the petitioner that petitioner has no concern with the said recovery, which has been made from the house of co-accused Pintu Kumar and even during the course of investigation, no material has come which shows the complicity of the petitioner in the trade of illicit liquor except confessional statement of co-accused. It is further submitted that co-accused Jitendra Kumar has already been granted anticipatory bail by this Ho'ble Court vide order dated 03.08.2021 in Cr. Misc. No. 29757. Moreover, investigation has already been completed and charge sheet has been submitted. Petitioner is in custody since 25.08.2021.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that during the course of investigation, it has come that petitioner is involved in trade of illicit liquor and apart from this case, petitioner is also involved in two other cases.



Having heard the rival contentions of the parties and taking into consideration the fact that except the confessional statement of co-accused, there is no material against this petitioner and he is in custody since 25.08.2021 and moreover, investigation has already been completed and charge sheet has been submitted, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Vaishali at Hajipur in connection with Raghapur (Rustampur O.P) P.S.Case No. 151 of 2020 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive



dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 cancelling 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.

(Harish Kumar, J.)

N.K/-

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

