

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6532 of 2022

Arising Out of PS. Case No.-153 Year-2021 Thana- RAHIKA District- Madhubani

RAMCHANDRA YADAV, S/o- Kali Yadav Resident of Village - Nazirpur,
P.S. - Rahika, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-07-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Rahika

P.S. Case No. 153 of 2021 dated 06.10.2021, registered for

the offences punishable under Sections 272, 273 and 34 of

the I.P.C. and Section 30 (a) of Bihar Prohibition and Excise

Act.

As per the allegation, 2100 liters of liquor was

recovered from one vehicle, bearing Registration No.

CH03V-4184 and 1215 liters of Nepali liquor from another

one, bearing Registration No. HR 51AD 2119.

The learned counsel for the petitioner submits that



the petitioner is innocent and falsely implicated in this case. It is further stated here that the petitioner is neither the driver nor the owner of the said vehicles. Nothing has been recovered from the conscious possession of the petitioner and he was arrested only on suspicion. He has further submitted that the petitioner has not been apprehended on the spot.

The petitioner is in custody since 22.12.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Hon'ble Court for grant of Anticipatory Bail or Regular Bail.

It has further been stated that the petitioner has been made accused in Rahika P.S. Case No. 71 of 2021 dated 03.06.2021, in which he is on bail.

However, the learned APP for the State has opposed the prayer for bail.

Considering the facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned 2nd Addl. Sessions Judge cum Special Judge Excise Act, Madhubani in connection with Rahika P.S. Case No. 153 of 2021 dated 06.10.2021. on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal



antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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