

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9198 of 2022

Arising Out of PS. Case No.-82 Year-2021 Thana- MURLIGANJ District- Madhepura

Rajeev Kumar @ Rajeev Yadav @ Rajeev Kumar Yadav S/o Jai Kant Yadav
@ Bhupendra Yadav R/o village- Khari, Ward Bi, 14, P.S.- Murliganj,
District- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Advocate.

For the Opposite Party/s : Mr.Asha Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-06-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State through video conferencing.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

Allegedly 213.99+339.75 liters foreign liquor was
recovered from the houses of this petitioner.

The main submissions advanced by learned counsel
for the petitioner are that one similar situated co-accused
namely Sangeeta Devi has been granted regular bail by a co-



ordinate bench of this Court vide order passed in Cr. Misc. 31016 of 2021 and petitioner's whole family members have been implicated in this case and the investigation has been completed and the charge-sheet has been submitted in the petitioner's case and petitioner has got no criminal antecedent.

Learned APP has opposed the prayer for bail.

In view of the above submissions and considering petitioner's clean antecedent mentioned at paragraph 3 of his petition and his custody period and also the fact that co-accused alleged to be involved in the alleged recovery of wine has been granted bail by a co-ordinate bench of this Court vide order passed in above mentioned Cr. Misc., and as per above submission petitioner and his all family members have been made accused in connection with recovery of alleged wine and investigation has been completed, in my view a lenient approach can be taken in respect of the petitioner's prayer let the petitioner 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 concerned Court in connection with Murliganj P.S. case No. 82 of 2021 on 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 below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(4) The Court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the Court below shall take serious action against him for cancellation of his bail bond.

(Shailendra Singh, J)

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