

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.17913 of 2022**

Arising Out of PS. Case No.-185 Year-2019 Thana- RAGHUNATHPUR District- Siwan

Ankul Kumar @ Ankul Yadav Son Of Hareram Yadav R/O Village-  
Harnathpur, P.S.- Raghunathpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kumari Anupam,  
For the Opposite Party/s : Mr. Pushpa Sinha.1

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR  
ORAL ORDER**

2      23-06-2022                      Let the defects, if any, be removed within four  
weeks from today.

The present case has been listed on Priority basis  
on the motion slip filed by the advocate on record on the  
ground of illness of petitioner's son.

Heard Mr. Yogesh Chandra Verma, learned senior  
counsel for the petitioner as well as learned Additional  
Public Prosecutor for the State.

Petitioner seeks bail in a case registered in  
connection with Raghunathpur P.S.Case No. 185 of 2019  
for the offences punishable under Sections 30(a) 41 (I) of  
the Bihar Prohibition & Excise Act 2016.

As per the prosecution case, it is alleged that on



secret information, police conducted a raid near the Bridge of Harnathpur Canal. However, seeing the police party one persons started to flee away, who was identified as Vinod Singh @ Langra. On search being made total 733.600 liters illicit liquor was recovered from the bush near the bridge. It is further alleged that co-accused Pradeep Singh@ Mantu Singh, Niraj Ram, Promod Singh and Ankur Yadav( petitioner) are said to have been involved in illicit trade of liquor.

Learned senior counsel appearing for the petitioner submits that petitioner was neither apprehended on the spot nor any incriminating material has been recovered , apart from the fact that except, the allegation of involvement in trade of illicit liquor , there is no material against this petitioner suggesting his complicity. It is next submitted that petitioner is in custody since 22.02.2022 and moreover, investigation has already been completed and charge sheet has been submitted.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that petitioner is named in the FIR and he has been found



involved in nine other similar nature of cases.

Having heard the rival contentions of the parties and taking into consideration the fact that petitioner was neither apprehended nor any incriminating material has been recovered. So far as recovery is concerned, the same has been made from open place accessible to all and he is in custody since 22.02.2022 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 Special Judge, Siwan in connection with Raghunathpur P.S.Case No. 185 of 2019 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)**

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