

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17829 of 2022

Arising Out of PS. Case No.-343 Year-2021 Thana- RANIGANJ District- Araria

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Tarun Yadav @ Tarun Kumar Son of Late Yoganand Yadav, Resident of
Village - Diwan Tola Raniganj, P.S.- Raniganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Sangeeta Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

Recovery is of total 132 liters of foreign liquor from
the Scorpio vehicle.

Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case only on the basis of suspicion. He further submits
that it appears from the F.I.R. as well as seizure list that nothing
has been recovered from the conscious possession of the



petitioner, rather the recovery has been made from the Scorpio vehicle in question and the vehicle in question has been seized from the door of co-accused Mithun Yadav. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that petitioner has no concerned with the alleged recovery or the vehicle in question and the petitioner remanded in this case on 24.02.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, 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 Court below where the case is pending in connection with Raniganj P.S. Case No. 343 of 2021, subject to 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 and shall remain physically present as directed by the court 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 tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that 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 cancellation 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.

(Rajesh Kumar Verma, J)

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