

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18458 of 2022

Arising Out of PS. Case No.-607 Year-2021 Thana- RAJAOLI District- Nawada

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Aadesh Rajvanshi Son Of Jairam Rajvanshi R/O Village- Ekamba, P.S.-
Rajauli, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar,Adv

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-07-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State in the virtual Court proceeding.

The petitioner seeks bail in a case registered for the offence under Sections 30, 30(c) of Bihar Prohibition and Excise Act.

Allegation is of recovery of 200 litre of Jawa Mahua kept in a plastic bag in an underground pit.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that the petitioner was not apprehended on the spot and the recovery has



been made from the Bamboo orchard of Ekamba village. Further submits that the co-accused, namely, Anil Rajbanshi has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 08.04.2022 passed in Cr. Misc. No.15682 of 2022 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is rotting in judicial custody since 27.02.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 learned Court below where the case is pending in connection with Rajauli P. S. Case No.607 of 2021, with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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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