

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19252 of 2022**

Arising Out of PS. Case No.-370 Year-2018 Thana- ALAMGANJ District- Patna

Arvind Yadav @ Jogar @ Indrajeet Kumar, Son Of Ram Babu Rai Resident  
Of Village - Kila Raod Nepali Kothi, P.S.- Patna City Chowk, Distt.- Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar- Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      18-04-2022      The present bail application has been taken up out of turn based on the mentioning made by the learned counsel for the petitioner on the ground that daughter of the petitioner is getting married on 20.04.2022.

In support of the same, the learned counsel for the petitioner has filed an Interlocutory Application No.01 of 2022, by which the marriage card has been brought on record. From perusal of which, it manifests that daughter of this petitioner Guria Kumari is getting married to Nilesh Kumar on 20.04.2022.

The learned counsel for the petitioner seeks permission to make rectification in Para-1 of the bail application.

Permission is accorded.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered for the



offences punishable under Section 30(a) of the Excise Act, 2016.

The learned counsel for the petitioner submits that the petitioner is in custody since 29.01.2022, charge-sheet has been submitted in this case and has antecedent of 12 cases.

The learned counsel for the petitioner further submits that the informant alleges that during course of vehicle checking, two persons were coming on motorcycle and on seeing the police, one accused fled and one Rajan Rai was arrested and from his possession, 80 litre of liquor was recovered. The apprehended accused disclosed the name of this petitioner and also of Banta, who had fled away.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case merely because of his antecedents. His name came based on the confessional statement of co-accused which has no evidentiary value.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in this case, the petitioner, above-named, is directed to be released on **provisional bail** on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Alamganj P. S. Case No.370 of 2018.

The learned Court below will seek a report from the office of the Superintendent of Police, Patna City, Patna with regard to the



marriage of Guria Kumari with Nilesh Kumar. In the event, if the report records that the marriage is going to be solemnized on 20.04.2022, then the provisional bail granted to the petitioner shall be confirmed and in the event, if the report records that the mentioning was made only for the purposes of seeking bail for misleading the Court, the learned Court below shall forthwith cancel his bail bonds and take all coercive steps to ensure that the petitioner is taken back in the custody.

Office is directed to communicate this order to the learned Court below forthwith.

The application stands disposed of.

**(Satyavrat Verma, J)**

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