

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30072 of 2022**

Arising Out of PS. Case No.-70 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.  
District- Gaya

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Aayush Raj Son of Late Ajay Kumar, R/o- Rahul Nagar, Road No. 8, P.S.-  
Brahmpura, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Santosh Kumar  
For the Opposite Party/s : Mr.Satyendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      06-08-2022                      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 Sections 30(a) and 56(b) of Bihar  
Prohibition and Excise Act.

Recovery is of total 336.75 liters of foreign liquor  
from one Tata Ace Gold Pick-up van.

Learned counsel for the petitioner submits that  
petitioner has clean antecedent and he has falsely been  
implicated in the present case. 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 Tata pick-up van. He further submits that in fact the petitioner is the driver of the vehicle in question and petitioner has no concern at all with the alleged recovery and he has no knowledge about the alleged liquor. The petitioner is in custody since 08.02.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

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 Excise Case No. 70 of 2022, 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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