

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.40143 of 2021**

Arising Out of PS. Case No.-43 Year-2020 Thana- NOKHA District- Rohtas

Sonu @ Vikash Yadav @ Vikash Kumar @ Sonu Singh @ Vikash Kumar
Yadav Son Of Sri Ram Avadhesh Singh Resident Of Village - Krishnapur,
P.O. - Jabra, P.S.- Nokha, District - Rohtas, Bihar (802215).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Aaruni Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 08-02-2022 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Ajay
Kumar Jha, learned APP for the State.

The petitioner in the present case is seeking regular

bail in connection with Nokha P.S. Case No. 43 of 2020

registered for the offence punishable under Section 30(a) of

Bihar Prohibition and Excise (Amendment) Act, 2018. He is in

custody since 18.01.2021.

Learned counsel for the petitioner submits that as per

the prosecution story, the informant received information that on

a trailer gari foreign liquor has been brought which is likely to

be unloaded near Chousa Nehar. On this information, the



informant along with other police officials reached there and saw a trailer gari without engine and a TATA Ace Mega XL. On search of the said vehicles, altogether 206.640 liters of illicit liquor has been recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has no concern with the said vehicles and allegedly recovered illicit liquors. It is submitted that the co-accused Pramod Kumar has already been granted bail by this Court in Cr. Misc. No. 27961 of 2020. The petitioner has remained in custody since 18.01.2021.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submissions on behalf of the petitioner that the seizure of illicit liquor as per the seizure list itself is from the bank of a canal and that is a lonely place with which the petitioner has no connection and further submission that the co-accused Pramod Kumar has already been granted bail by this Court in Cr. Misc. No. 27961 of 2020, the petitioner has got one criminal antecedent and in fact the petitioner has been remanded in the said case subsequently, so far as the present case is concerned, he has been remained in custody for



over one year, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2-cum-Special Judge Excise, Rohtas at Sasaram in connection with Nokha P.S. Case No. 43 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C.

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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

