

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44564 of 2021

Arising Out of PS. Case No.-44 Year-2021 Thana- GORAU District- Vaishali

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RITESH KUMAR, Son of Vimal Churasia @ Vimal Prasad Chaurasia,
Resident of Village - Dhane, Goraul, P.s.- Goraul, Dist.- Vaishali at Hajipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Nagmani Kumar, Advocate
For the Opposite Party/s : Ms.Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 23-03-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within two weeks

after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ms.Renu
Kumari, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Goraul P.S. Case No. 44 of 2021 registered for
the offences punishable under Section 30(a) of Bihar Prohibition
and Excise Act, 2018. He is in custody since 18.02.2021. The
petitioner has got two criminal antecedents.

Learned counsel for the petitioner submits that as per
the prosecution story from a bamboo clump 200 liters of country
made liquor was recovered.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that the place from which the recovery was made does not belong to this petitioner. It is submitted that the petitioner is in custody in connection with this case since 18.02.2021.

Ms.Renu Kumari, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the place which is said to be a bamboo clamp behind the temple, there being no conscious possession of the petitioner over the said place and that he has remained in custody in connection with this case for over one year and investigation against him is complete, this Court directs that the petitioner above named be released on bail on furnishing bail bond 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 2nd, -cum- Excise court, Vaishali at Hajipur in connection with Goraul P.S. Case No. 44 of 2021, subject to the condition 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 steps 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.

(Rajeev Ranjan Prasad, J)

vats/-

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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'.

