

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.45674 of 2021**

Arising Out of PS. Case No.-102 Year-2021 Thana- RAFIGANJ District- Aurangabad

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RAMPRAVESH YADAV S/o Tetar Yadav R/o village- Chandaul, P.S.-  
Rafiganj, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rajendra Singh, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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

2      28-02-2022                      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 learned  
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in  
connection with Rafiganj P.S. Case No.102 of 2021  
corresponding to Excise Case No.470 of 2021 registered for the  
offences punishable under Section 30(a) of the Bihar Prohibition  
and Excise Act, 2016. He is in custody since 13.06.2021. The  
petitioner has got one criminal antecedent.

Learned counsel for the petitioner submits that as per  
the prosecution story on 28.03.2021 at about 8.05 am when the  
informant on secret information conducted a raid in Khajurwani



village he saw that two persons were loading the wine on a motorcycle but on seeing the police party both persons started fleeing away and even after chase both were not apprehended. The local chowkidar identified them as Rampravesh Yadav (this petitioner) and Rupesh Kumar. On search 200 liters of country made liquor was recovered from the motorcycle.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that there is no recovery from the conscious possession of the petitioner. It is submitted that the petitioner is in custody in connection with this case since 13.06.2021.

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

Having regard to the submission that the alleged recovery of liquor has taken place from Khajurwani which is situated towards northern side of the village and further submission that the petitioner has one criminal antecedent in which he is on bail and in connection with the present case he has remained in custody for over eight months, investigation against him is complete and his presence may be secured in course of trial, 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-II-cum-Special Judge, Aurangabad in connection with Rafiganj P.S. Case No.102 of 2021 corresponding to Excise Case No.470 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 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.

**(Rajeev Ranjan Prasad, J)**

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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'.

