

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40444 of 2022

Arising Out of PS. Case No.-458 Year-2021 Thana- DARBHANGA SADAR District-
Darbhanga

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Rajendra Singh @ Rajendra Yadav Son of Kharak Singh @ Kharak Yadav
Resident of village- Dharuhera, P.O and P.s.- Dharuhera, District- Rewari ,
Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rohit Kumar, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2022 Let the defect(s) if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Dharbhanga Sadar P.S. Case No. 458 of 2021, lodged under
Sections 30(a), 36, 41(1) of the Bihar Prohibition & Excise Act,
2016.

As per prosecution case, total 2661.12 litres of foreign
liquor were alleged to be recovered from a container loaded on a
vehicle.

Learned counsel for the petitioner submits that the
present petitioner is alleged to be the owner of the said container



and he was apprehended on the spot. He further submits that petitioner is completely dependable for the purpose of taking business of his driver and under good faith, he has granted permission to use his vehicle. It is his mistake and due to this reasons, he is in custody since 29.10.2021. Charge sheet has already been filed in this case and he has clean antecedent.

Learned APP for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 50,000/- (rupees fifty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No-1, Darbhanga, in connection with Darbhanga Sadar P.S. Case No. 458/2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(A.) The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

(B.) One of the bailor shall be close relative who shall file affidavit before the Court about his relation with the



petitioner.

(C.) The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

Ranjeet/-

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