

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46308 of 2022

Arising Out of PS. Case No.-35 Year-2022 Thana- SALAIYA District- Aurangabad

Raj Kumar Rikiyasan, Son of Dawarika Rikiyasan Resident of Village - Teka
Bigha, P.s.- Salaiya, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

In the present case, the petitioner seeks bail in
connection with Salaiya P.S. Case No. 35 of 2022 registered for
the alleged offences under Sections 30 (a), 30 (c) and 37 of the
Bihar Prohibition and Excise Act.

Allegedly, 400 Kg Mahua along with 7.5 litres of Beer
was recovered from the campus of the school and the petitioner
was apprehended in inebriated condition from the spot.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. Nothing incriminating has been recovered from his



conscious possession. The petitioner has no concern with the recovered articles. The co-accused Vijay Yadav has been granted bail by a Coordinate Bench of this Court vide order dated 20.08.2022 passed in Cr. Misc. No. 37708 of 2022. The charge sheet has been submitted in this case and the petitioner is in custody since 25.02.2022. The petitioner is having clean antecedent.

Learned A.P.P. opposes the prayer for bail made on behalf of the petitioner.

Having regard to the submissions made on behalf of the petitioner and considering the submission of charge sheet and the period of custody of the petitioner along with his clean antecedent, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-1st, Aurangabad, in connection with Salaiya P.S. Case No. 35 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on



each and every date fixed by the court
below.

(iii) In case of absence on three consecutive
dates or in violation of the terms of the bail,
the bail bond of the petitioner will be liable
to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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