

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62079 of 2021**

Arising Out of PS. Case No.-156 Year-2021 Thana- NARDIGANJ District- Nawada

Rocky Kumar Son of Chintaman Saw @ Chintawan Saw @ Raju Saw  
Resident of Chechai, Ward no. -8, P.S.- Kodarma, District- Kodarma,  
Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE A. M. BADAR**  
**ORAL ORDER**

4      09-02-2022                      The applicant is given out of turn hearing on account  
of marriage in his family.

The applicant/accused in Crime No.156 of 2021  
registered with Nardiganj Police Station for the offences  
punishable under Sections 30(a)/41 of the Bihar Prohibition and  
Excise Act, by this application is seeking his release on bail  
during pendency of the trial.

Heard the learned counsel appearing for the  
applicant/accused as well as learned Additional Public  
Prosecutor appearing for the State.

The learned counsel for the applicant submits that  
the applicant is not having any criminal antecedent except his  
implication in another case after remand in this case.



The learned Additional Public Prosecutor opposed the application by contending that the applicant was found to be in possession of three liters of Indian made foreign liquor and he had transported 271 liters of the illicit liquor and delivered it to the accused.

I have considered the submissions so advanced and also perused the materials placed before me.

According to the prosecution case, the applicant and one another accused were found to be in possession of Indian made foreign liquor of three liters of quantity in the dicky of the car in which they were travelling. On the basis of confessional statement of the applicant it is reported that 271 liters of illicit liquor came to be seized from the co-accused.

Investigation of the crime in question is over. The applicant was not having any case prior to registration of subject crime. Hence, I see no reason to refuse bail to him and, therefore, the order :-

- i. The application is allowed.
- ii. The applicant/accused in Crime No. 156 of 2021 registered with Nardiganj Police Station be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the



satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

**(A. M. Badar, J)**

Mkr./-

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