

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53167 of 2022

Arising Out of PS. Case No.-160 Year-2022 Thana- DINARA District- Rohtas

Rajesh Kumar Patel, Son Of Ram Narayan Chaudhary, Resident Of Village-
Belhan, Police Station- Dinara, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-11-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Dinara P.S. Case No. 160 of 2022 registered for
the alleged offences under Sections 30(a) of the Bihar
Prohibition and Excise Act.

As per prosecution case, the police received secret
informant about the petitioner keeping illicit India made foreign
liquor in his house and a raid was conducted at the house of the
petitioner. The petitioner was apprehended from the spot and at
his instance, 95.04 liters of India made foreign liquor was
recovered kept below a bed.



The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he has got no concern with the seized liquor. From the F.I.R. and the seizure list, it is clear that nothing was recovered from the exclusive possession of this petitioner and the seizure list has not been prepared following the mandatory provisions of law. The petitioner is in custody since 19.05.2022 and charge-sheet has been submitted in this case. The petitioner has got no criminal history.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the submission of charge-sheet along with period of the custody and his clean antecedent, the petitioner above named 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 Exclusive Special Judge, Court No.1, Rohtas at Sasaram in connection with Dinara P.S. Case No. 160 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be 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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