

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53714 of 2022**

Arising Out of PS. Case No.-1022 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

RAJESH KUMAR S/o Naresh Rai Resident of Village- Adalpur, Dighi @  
Gighi West, P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar Singh

For the Opposite Party/s : Mr.Nawal Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      11-11-2022                      Heard learned counsel for the petitioner and learned  
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered  
for the offences punishable under Section 414 of the Indian Penal  
Code as well as under Section 30(a) of the Bihar Prohibition and  
Excise Act.

697.32 Indian made foreign liquor has been recovered  
from the place of occurrence. The allegation against the petitioner  
is that the consignment of illicit liquor was being unloaded from a  
Bolero pick-up van by petitioner, Rajesh Kumar and co-accused,  
Rakesh Kumar near newly constructed Cancer Hospital at Adalpur.

Learned counsel for the petitioner submits that  
petitioner is innocent and has falsely been implicated in the  
present case. It is further submitted that the petitioner has got no  
criminal antecedent as stated in paragraph-3 of the bail



application. It is also submitted that there is no recovery from the conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs. 40,000/- (rupees fourty thousand) in the Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-cum-Additional District & Sessions Judge, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No.1022 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.



The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in the Patna High Court Legal Services Committee, Patna.

**(Anjani Kumar Sharan, J)**

Sanjay/-

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