

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63501 of 2021**

Arising Out of PS. Case No.-403 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

RAJU KUMAR S/o Hare Ram Singh Resident of Village- Chhoti Aighu, P.S.-
Muffasil, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Shantanu Kumar

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

3 19-05-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Muffasil P.S. Case No. 403 of 2020 for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

The allegation is recovery of 587 litres of Indian
Made Foreign Liquor from the filed surrounded by boundary
wall of Sanjay Singh.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and he has falsely been
implicated in this case merely on suspicion. He further submits



that three cases are pending against the petitioner due to which he has been made accused in the present case. Admittedly, the alleged recovery has been made from the boundary wall of co-accused Sanjay Singh. The petitioner is in custody since 17.08.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He further submits that trade of illicit liquor is rampant in the State of Bihar and often hooch tragedy is being occurred due to consumption of illicit liquor by the people at large and as such petitioner is involved in heinous crime and he does not deserve to be released on bail.

The court below is directed to release the petitioner after obtaining report from the concerned S.P. as to whether till date it has been found that the petitioner is one of the Mafias as several cases are pending against him, if such report is not filed within two weeks from the date of the order, the petitioner shall be released on bail on furnishing bail bond of Rs. 1,00,000/- (Rs. One lakh) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge Excise Act, Begusarai in connection with Muffasil P.S. Case No. 403 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient



immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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