

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63666 of 2021

Arising Out of PS. Case No.-292 Year-2021 Thana- MINAPUR District- Muzaffarpur

Rajeev Kumar @ Rajeev Sahani, Son of Ramu Sahni, Resident of Village -
Dubarbanna, P.S.- Minapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-05-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Minapur P.S. Case No.292 of 2021 registered for the offence
punishable under Sections 272, 273/34 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Act.

There is alleged recovery of 1119.13 litres foreign
liquor from a pick-up van. The persons, who were in the van,
including the petitioner, have fled away taking advantage of
darkness, as per the prosecution case.

Counsel for the petitioner submits that the
petitioner has remained in custody since 04.09.2021. He was
neither arrested at the spot nor anything has been recovered
from his possession. He has no concern with the pick-up van in



question and has one criminal antecedents. The Investigation is also stated to be complete.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, the period of custody and the fact that even as per prosecution case, the petitioner was not arrested at the spot nor anything has been recovered from his possession, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur, in connection with Minapur P.S. Case No.292 of 2021, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well



represented on each date and if he fails
to do so on two consecutive dates, his
bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel
would honour his undertaking in the instant proceedings
regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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