

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65393 of 2021

Arising Out of PS. Case No.-151 Year-2021 Thana- KALUAHI District- Madhubani

=====

RAUSHAN KUMAR YADAV S/o Arun Yadav @ Arun Kumar Marita R/o
Village- Kuar, Ward No. -2, P.S.- Jainagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mrs.Shaheen Begum

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Kaluahi P.S. Case No. 151/ 2021, G.R. No. 1831 of 2021 registered for the offences punishable under Sections 272, 273, 34 of the IPC and Section 30(a) of the Bihar Excise (Prohibition) Amendment Act, 2016.

There is recovery of 675 litres of illicit Nepali wine.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that nothing has been recovered from conscious



possession of the petitioner and only on the basis of suspicion, the petitioner has been implicated in the present case. He further submits that altogether 675 litres of illicit liquor was recovered from the vehicle in question and nothing has been recovered from conscious possession of the petitioner. Petitioner is in custody since 04.10.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries two criminal antecedent.

Considering the aforesaid facts and circumstances, 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 the learned Additional Sessions Judge-II cum Special Judge, Excise Act, Madhubani in connection with Kaluahi P.S. Case No. 151/ 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



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

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

shahzad/-

U		T	
---	--	---	--

