

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58780 of 2022

Arising Out of PS. Case No.-184 Year-2022 Thana- KHODAWANDPUR District- Begusarai

Raja Kumar @ Raja Singh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 61600 of 2022

Arising Out of PS. Case No.-184 Year-2022 Thana- KHODAWANDPUR District- Begusarai

Rahul Rai @ Rahul Kumar @ Rahul Kumar Rai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 58780 of 2022)

For the Petitioner/s : Mr. Udbhav

For the Opposite Party/s : Mr. Satyendra Narayan Singh

(In CRIMINAL MISCELLANEOUS No. 61600 of 2022)

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Ms. Meena Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER



2 30-11-2022 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioners seek bail in connection with Khodawandpur (Chhaurahi O.P.) P.S. Case No. 184 of 2022, registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

As per allegation, a total of 1305 litres of Indian-made foreign liquor has been recovered from two vehicles bearing Registration No. BR09GB-4997 and JH09AY-5002.

The learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. They further submit that the petitioners are neither driver nor owner of the vehicles where-from illicit liquor has been recovered.

The petitioners, Raja Kumar @ Raja Singh and Rahul Rai have been languishing in jail since 18.08.2022 and 24.09.2022 respectively.

It is also stated in paragraph no. 2 of the petition that the petitioner, Raja Kumar @ Raja Singh has not moved earlier before this Court for grant of either anticipatory bail



or regular bail whereas petitioner, Rahul Rai had earlier moved before this Court for grant of anticipatory bail vide Cr. Misc. No. 45925 of 2022.

It has further been stated in paragraph no. 3 of the petition that the petitioners, Raja Kumar @ Raja Singh and Rahul Rai have been made accused in five and three more cases each respectively.

However, the learned APP for the State opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. Exclusive Special Excise Judge – I, Begusarai in connection with Khodawanpur P.S. Case No. 184 of 2022 on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that



investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedent despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

The application stands allowed accordingly.

The learned counsel for the petitioners is directed



to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

chandan/-

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

