

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71528 of 2021**

Arising Out of PS. Case No.-216 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.  
District- Jamui

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ANIL KUMAR S/o- Dharambir R/o- Village/Mohalla - Lasendi, P.S. -  
Rajgarh, District - Charu, State - Rajasthan,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Niranjan Parihar, Advocate  
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      26-05-2022                      Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four weeks.

The petitioner is in judicial custody in connection with Case No.216 C2/2021 instituted under Section 30(a) of the Bihar Prohibition and Excise Act.

The allegation that has come in the case is that on secret information, a four wheeler Mahindra Bolero Maxi Truck was intercepted and from its cabin behind the seat, altogether 938.52 liters of Indian made foreign liquor was recovered/seized. The petitioner was accordingly arrested.

Learned counsel for the petitioner submits that he is the cleaner of the said vehicle, a native of Rajasthan and a poor



man his duty is to clean the truck and had nothing to do with the alleged recovery/seizure for which he has already suffered by being in jail since 26.08.2021 (as stated in paragraph-9 of the bail application).

Considering the aforesaid fact that charge sheet stands submitted and he is in jail since 26.08.2021, this Court is inclined to grant him the privilege of bail, subject to certain conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each in connection with Case No.216 C2/2021 to the satisfaction of learned A.D.J, IInd, Jamui, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bonafide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his



presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Jagdish/-

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