

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1732 of 2022**

Arising Out of PS. Case No.-416 Year-2021 Thana- KUDHNI District- Muzaffarpur

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RAJEEV KUMAR OM @ RAJEEV KUMAR S/o Vijay Kumar Yadav @
Hanslal Rai R/o Village- Jagarnathpur, P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

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

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-06-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Kudhani P.S. Case No. 416 of 2021
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act. He is in custody since
25.10.2021 having two criminal antecedents as stated in
paragraph '3' of the application.

As per the prosecution story, while the informant got
secret information that Rajeev Kumar Om (the petitioner) and
Dipan Mahto brought three bags of foreign liquor and concealed



the same in the bush and are about to sell the same. The informant reached at the given place where on seeing the police vehicle two persons standing there managed to escape. On search of the place the informant recovered total 22.140 liters of illicit liquor.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, petitioner has no concern with the recovered liquor, however he is in custody since 25.10.2021.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that recovery has been made from a bush outside the house of the petitioner, the petitioner has remained in custody since 25.10.2021, he has two criminal antecedents in which he is said to be on bail, investigation against him is complete and his presence may be secured in course of trial, therefore, this court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Kudhani P.S. Case No. 416 of 2021, subject to the condition as laid down



under Section 437 (3) Cr.P.C.

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.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

