

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5493 of 2023

Arising Out of PS. Case No.-677 Year-2020 Thana- SASARAM NAGAR District- Rohtas

RAMDEO YADAV Son of Late Ghaman Yadav R/V- Purhara, P.S- Barhi,
Dist- Hazaribag (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Adv.

For the Opposite Party/s : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
13.12.2022 in connection with Sasaram (Town) P.S. Case No.
677/2020, F.I.R. dated 14.10.2020, for the offences punishable
under Sections 30(a) of Bihar Prohibition and Excise
Amendment Act, 2016.

According to prosecution case, total 4406 litres of
foreign liquor is said to have been recovered from a truck
bearing registration no. PB-13W-8422.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case merely on the ground that the
petitioner is owner of the vehicle in question. He further submits



that in fact, the petitioner has sold the vehicle in question to one Arbind Singh S/o Hanuman Singh, prior to the alleged date of occurrence and for this purpose, the petitioner has executed agreement for sale dateds 16.09.2020 and after the agreement for sale, the petitioner has handed over the truck in question to Arbind Singh and the petitioner has no concern at all with the alleged recovery of illicit liquor. He further submits that similarly situated co-accused, namely, Bikash Kumar and Ajeet Kumar have been granted bail by a co-ordinate Bench of this Court vide order dated 04.08.2021 passed in Cr. Misc. No.20062/2021, another co-accused namely, Sonu Kumar has been granted bail vide order dated 02.12.2022 passed in Cr. Misc. No. 60517/2022 and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 13.12.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

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 Exclusive



Special Excise Court-2-cum-Additional District and Sessions
Judge, Rohtas at Sasaram, in connection with Sasaram (Town)
P.S. Case No. 677/2020, 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)

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