

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61283 of 2022

Arising Out of PS. Case No.-27 Year-2022 Thana- DHANARUA District- Patna

Rajeev Kumar @ Virendra Kumar Vidharthy @ Prem Jyoti S/O Naresh Prasad @ Naresh Yadav Resident Of Village- Makhdumpur, P.S.- Dhanaura, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manisha Prakash, Adv

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-01-2023 Today being Friday, matters are being taken up through virtual mode, as per current procedure for hearing.

Heard learned counsel for the petitioner and learned APP for the State.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Dhanaura P.S. Case No. 27 of 2022 registered under Sections 30(a), 36, 41(i)(ii) of Bihar Prohibition and Excise Amendment Act, 2018.

On secret information regarding illegal trade of liquor being carried on, police personnel have reached the place from where 4733.58 litres illicit liquor has been recovered from a truck. It is



stated that 6 persons started fleeing away. Petitioner is stated to be one of these persons.

Learned counsel for the petitioner submits that it is a case of false implication. He has no connection with the alleged recovery. Because of his antecedents, his name has been dragged in this case, though he was not present at the place of recovery. He has remained in custody since 17.08.2022. Petitioner has been apprehended nearly 7 months after the recovery.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in Dhanaura P.S. Case No. 27 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be



liable to be cancelled.

(Madhuresh Prasad, J)

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