

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71258 of 2023

Arising Out of PS. Case No.-279 Year-2022 Thana- KEWATI District- Darbhanga

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Raja Yadav @ Raja Kumar Yadav, Son of Ram Karan Yadav, Resident of
village - Dalwa, P.S.- Keoti, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Keoti P.S. Case No. 279 of 2022, registered for the alleged offences under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, due to rash and negligent driving of a car, the police party tried to stop it, but it accelerated and driver fled away leaving behind his car when the same was chased. On search of the car, total 135 liters of Nepali country made liquor was recovered. The name of the petitioner transpired during investigation as owner of the said car.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from the person/possession of this petitioner. The recovery has been shown from the car which does not belong to this petitioner. The petitioner is in custody since 14.08.2023 and is having two criminal antecedents in which he is on bail.

5. Learned A.P.P. opposes the submissions made on behalf of the petitioner.

6. Having regard to the submissions made hereinabove and considering the fact that no recovery has been shown from the conscious possession of the petitioner, who was not arrested from the spot, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-1, Excise Act, Darbhanga in connection with Keoti P.S. Case No. 279 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each



and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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