

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74844 of 2023

Arising Out of PS. Case No.-923 Year-2020 Thana- TURKAULIYA District- East
Champaran

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Rajendra Prasad @ Rajendra Das Son Of Jagdeo Das Resident Of Village
-Sugaon, Ps- Sugauli, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and under Sections 30(a), 41(i) of the Bihar Prohibition & Excise Act.

3. Recovery of 2200 liters of illicit liquor from a pick-up van bearing registration no. BR 05N 3457.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case because the said pick-up van is in the name of the petitioner. Petitioner was not apprehended on the spot. He further submits that petitioner has sold the pick-up van to Chuman Kumar and also given Form 29 & 30 of the Transfer Form No. I but he has not deposited the form in the



D.T.O. office therefore, the said vehicle was not transferred in his name, Chumman Kumar. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the fact that petitioner already sold the said vehicle to one Chumman Kumar and no criminal antecedent of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Turkauliya P.S. Case No. 923 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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