

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17078 of 2024

Arising Out of PS. Case No.-280 Year-2019 Thana- RAJAOLI District- Nawada

Ritesh Yadav Son Of Jageshwar Yadav Resident Of Village- Gadi Sirsiya, PS-
Gandey, Distt- Giridih, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 19-04-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks regular bail in connection with
Rajouli P. S. Case No. 280 of 2019 dated 07.08.2019, registered
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

3.As per allegation, 4400 litres of spirit was recovered
from a truck.

4. Ld. counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the Petitioner is not named
accused in the FIR and his name has transpired in the
confessional statement of the co-accused. He further submits
that two co-accused have been granted bail by this Court on



earlier occasions.

5. He further submits that the petitioner has been languishing in jail since 12.07.2023.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in two other cases and in both the cases, he is on bail.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances, this application is allowed, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Exclusive Special Excise Court-II, Nawada, in connection with Rajouli P. S. Case No. 280 of 2019 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his



absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(vi) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail-bond will be cancelled by the court below.

(Jitendra Kumar, J)

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