

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80944 of 2024

Arising Out of PS. Case No.-115 Year-2024 Thana- ARER District- Madhubani

Rajesh Kumar Yadav Son of Rudal Yadav Resident of Village - Ranway,
Purani Tol, P.S - Keoti, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-11-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Arer P.S. Case No. 115 of 2024 for the offences punishable under Sections 274, 275, 3(5) of BNS, 2023 (under Section 272, 273 and 34 of IPC) and Section 30(a) of Bihar Excise Amendment Act, 2022, lodged on 05.09.2024 by the informant, Neha Nidhi.

3. As per the prosecution story, the police upon secret information and during patrolling, intercepted a Wagon R car and there is recovery/seizure of 144 liters of Nepali country made liquor. This led to the FIR, arrest.

4. Learned counsel for the petitioner submits that he had merely taken lift, is not the owner of the car, has remained in custody since 06.09.2024 (para 4 of the petition) and have no



criminal antecedent.

5. Learned APP for the State opposes the prayer.

6. Considering the aforesaid submissions put forward by the parties as also that the petitioner does not own the car, has no criminal antecedent, is in custody since 06.09.2024, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned the Addl. District Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Arer P.S. Case No. 115 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;



(iv) the petitioner shall in now way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

U		T	
---	--	---	--

