

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10399 of 2025

Arising Out of PS. Case No.-73 Year-2022 Thana- BALIYA District- Begusarai

=====

Raj Kumar @ Rajo Kumar @ Raju Kumar Yadav @ Mahakal S/O Ram Sagar
Yadav Resident of Village- Belsandi, P.S.- Larjha (Bithan), District-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-02-2025 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 Baliya P.S. Case No. 73 of 2022,, registered for the offences under Section 30(a), 41(I), 56(D)/32(ii), (iii), 36 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 881.25 litres of liquor was recovered from a pickup van when it was intercepted after chase by the police on the basis of secret information. Co-accused Kundan Ravidas was apprehended from the spot who further disclosed the name of the petitioner along with other persons who were to receive the consignment of illicit liquor.

4. Learned counsel appearing on behalf of the

petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Except for confessional statement of co-accused there is no material against this petitioner. Nothing incriminating has been recovered from person or possession of this petitioner. The petitioner has no concern with the pickup van from which the recovery of illicit liquor has been made and he is neither the driver nor the owner of the seized van. The co-accused Kundan Ravidas who has been apprehended from the spot has been granted bail by this Court vide order dated 05.08.2022 passed in Cr. Misc. No. 22497 of 2022. The petitioner is having antecedent of two cases and he has been granted bail in both the cases. The petitioner is in custody since 17.12.2024 and charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and further considering the submission of charge sheet and period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each

to the satisfaction of learned Exclusive Special Judge Excise 2nd, Begusarai/concerned court, in connection with Baliya P.S. Case No. 73 of 2022, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other 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, if so required by the learned trial court.
- (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)

Anuradha/-

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