

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32767 of 2025

Arising out of PS. Case No.-34 Year-2025 Thana- BANDEYA District- Aurangabad

Runjay Kumar S/o Vinod Yadav R/o Village-Chakpur, P.S.- Obra, Distt-Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Bandeya P.S. Case No. 34 of 2025 instituted for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act. He has one criminal antecedent.

3. The prosecution case is to the effect that on the basis of secret information, the police intercepted a motorcycle and one person was apprehended who disclosed his name as Runjay Kumar (Petitioner). It is alleged that on search, four polythenes containing of six litres each, i.e., total 24 litres country-made chulhai liquor was recovered from the said motorcycle.

4. It is submitted by learned counsel for the petitioner



that the petitioner has falsely been implicated in this case and on the basis of the suspicion his name has surfaced and no such recovery has been made from the conscious possession of the petitioner. It is further submitted by learned counsel for the petitioner that the petitioner is not involved in the trade of illicit liquor and no incriminating article has been seized from the possession of the petitioner. It is lastly submitted that the petitioner has one criminal antecedent but not of similar nature and is in custody since 23.03.2025. Learned counsel for the petitioner undertakes to deposit a sum of Rs. 10,000/- before the Patna High Court Legal Services Committee.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of learned counsel as well as undertaking given by the petitioner and taking into account the fact that 24 litres of country-made chulhai liquor was not recovered from the conscious possession of the petitioner and is in custody since 23.03.2025, the petitioner above named, is directed to be released on bail on depositing a sum of Rs. 10,000/- (Ten Thousand) before the Patna High Court Legal Services Committee and a receipt of the same shall be furnished before the learned court below at the the time of



furnishing bail bond. Thereafter, he shall furnish bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-II, Aurangabad in connection with Bandeya Case No. 34 of 2025, subject to the 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, if so required by the learned Trial Court.

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

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner except one case and in case at any stage it is found that the petitioner has concealed his criminal antecedent except one case, the court below shall take step for cancellation



of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

(Sourendra Pandey, J)

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