

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87531 of 2024

Arising Out of PS. Case No.-316 Year-2022 Thana- RAJAPAKAR District- Vaishali

Saurav Kumar, Son of Vinod Singh, Resident of village - Alipur Brahmsthan,
Police Station - Raja Pakar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-01-2025 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 Rajapakar P.S. Case No. 316 of 2022 registered for the alleged offence under Section 30 (a) of the Bihar Prohibition Act and Excise Act.

3. As per prosecution case, police received information about throwing away of a number of cartons of foreign liquor in a millet field. A raid was conducted and two co-accused persons were apprehended, who named this petitioner along with other co-accused persons for also being involved in the illicit trade of liquor. Further, recovery of 1200.240 liters of India made foreign liquor was made from the spot.

4. The learned counsel for the petitioner submits that



the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person/possession of the petitioner. The recovery has been made from the field of one Viraj Singh and the petitioner has no concern with Viraj Singh. The petitioner has been named in this case merely on suspicion. The petitioner is in custody since 11.11.2024 and is having clean antecedent.

5. Learned A.P.P. opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the fact that recovery has not been shown from the person/possession of the petitioner and further considering the period of custody of the petitioner along with his clean antecedent, the petitioner is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.2-cum-Additional Sessions Judge, Hajipur, Vaishali, in connection with Rajapakar P.S. Case No. 316 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be the close relative



of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(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.

V.K.Pandey/-

(Arun Kumar Jha, J)

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