

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37892 of 2016

Arising Out of PS.Case No. -442 Year- 2016 Thana -BIHTA District- PATNA

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Rajdeo Yadav @ Rajdev Yadav, son of Late Raja Ram Yadav, resident of
Village - Itwa @ Etwa,P.S. Bihta, District Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr.

For the Opposite Party : Mr.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-10-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Bihta P.S
Case No. 442 of 2016 registered for the offences punishable under
Sections 47, 50(C) and 51 of the Bihar Excise (Amendment) Act,
2016.

Allegedly, the petitioner was apprehended and from
the place 70 liters country made *mahua* liquor was recovered
which was prepared by the petitioner whereas other co-accused
succeeded in fleeing away after leaving the motorcycle loaded
with illicit *mahua* liquor.

Submission is of false implication and that nothing
has been recovered from the conscious possession of the
petitioner, the petitioner has gone there to ease, but in the

meantime, he was arrested, resulting, he suffering in custody since 29.06.2016. Other co-accused Surendra Yadav, Dev Kumar and Ramdev Yadav have already been allowed bail by the Court below itself vide B.P. No. 680 of 2016.

The Learned A.P.P. submits that petitioner was indulged in preparing illicit *mahua* liquor.

In the facts and circumstances stated above, considering the detention of the petitioner, now the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- I, Danapur, in connection with Bihta P.S. Case No. 442 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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