

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58018 of 2018

Arising Out of PS. Case No.-203 Year-2015 Thana- KONCH District- Gaya

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Ravindra Yadav S/o Sri Lupchand Yadav @ Luchchand Yadav Resident of
village - Gararimathia, P.S. - Konch, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kiran Sinha

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 03-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
28.08.2018 in connection with Sessions Trial No. 569/2018
arising out of Konch P.S. Case No. 203/2015 for offences
punishable under Sections 272 and 273 of the Indian Penal Code
and Section 47 (A) of the Excise Act.

The prosecution case, as lodged by the police
personnel, is that during patrolling duty they received
information that some persons are engaged in preparation of
illicit liquor and a raid was conducted at village Ganda Bigha
but the accused persons after destroying the Bhatha, managed to
flee away. In another raid, in another village when the raiding
party reached the place of occurrence, found illicit liquor being



prepared and apprehended co-accused, Gopal Yadav but the petitioner along with other persons managed to flee away. From the place 100 litres of *Mahua* wine was recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history regarding the similar allegation although he is accused in one more case of different nature. He submits that some of the co-accused have been granted the privilege of pre-arrest bail and regular bail by co-ordinate Benches of this Court and he undertakes to cooperate in the ongoing trial on day-to-day basis.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya in connection with Sessions Trial No. 569/2018 arising out of Konch P.S. Case No. 203/2015, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who



will file an affidavit stating his relationship with the petitioner.

- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/Pragya

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