

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17924 of 2020

Arising Out of PS. Case No.-302 Year-2019 Thana- BAHERI District- Darbhanga

Nand Kishore Yadav @ Anand Kishore Yadav (Male), aged about 44 years,
Son of Late Sitambar Yadav @ Pitamber Yadav Resident of Village-
Baghnochi, P.S.- Baheri, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 2, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

2 13-05-2020 The matter has been listed and heard *vide* video conferencing in view of the lock-down imposed on account of the COVID-19 pandemic.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner is in custody in connection with GO Case No. 1334 of 2019 arising out of Baheri PS Case No. 302 of 2019 dated 27.12.2019 instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

4. The allegation against the petitioner is that from his godown 198 litres of liquor was recovered.

5. Learned counsel for the petitioner submitted that



the petitioner was not caught from the spot and his nephew who was caught has taken his name. It was further submitted that the petitioner has no other criminal antecedent and is in custody since 19.02.2020.

6. Mr. Jharkhandi Upadhyay, learned APP submitted that the recovery has been made from the godown belonging to the petitioner.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge IInd-cum-Special Judge, Excise Act, Darbhanga in GO Case No. 1334 of 2019 arising out of Baheri PS Case No. 302 of 2019, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present



before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/P.Kumar

