

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19322 of 2020**

Arising Out of PS. Case No.-103 Year-2019 Thana- KHODAWANDPUR District- Begusarai

Ram Dayal Yadav @ Ram Dayal Kumar, Son of Shivalal Yadav, Resident of
Village - Ijraha, P.S.- Chhaurahi O.P., Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anil Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 05-06-2020 The matter has been listed today for consideration through video conferencing in view of the nationwide lockdown on account of COVID-19 pandemic.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Excise Act Case No.530 of 2019 arising out of Kudawandpur P.S. Case No.103 of 2019 instituted for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.



The allegation is of recovery of 18.750 litres of illicit liquor from bushes in front of the petitioner's Gas Agency.

Petitioner's counsel submits that even as per the prosecution case, it is impossible to connect the petitioner with the alleged recovery. The petitioner is in custody since 20.02.2020. Further submission is that it is a case of false implication. The recovery is from a place having general public access. The petitioner is already on bail in three other cases pending against him.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Begusarai, in connection with Excise Act Case No.530 of 2019 arising out of Kudawandpur P.S. Case No.103 of 2019, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy



as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

PNM

U		T	
---	--	---	--

