

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23198 of 2020**

Arising Out of PS. Case No.-18 Year-2020 Thana- GADHPURA District- Begusarai

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Maheshwar Yadav S/o Ram Padarath Yadav Resident of Village-Laxhmipur  
Baijha, P.S.-Godhpura, District-Begusarai ... Petitioner  
Versus

The State of Bihar ... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Ranjit Kumar Yadav, Advocate  
For the Opposite Party : Mr. Kalyan Shankar, Addl Public Prosecutor

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      12-10-2020                      Heard learned counsel for the petitioner and the State through Video Conferencing.

The petitioner seeks bail in a case registered for the offence punishable under section 30a of the Bihar Prohibition and Excise Act.

Acting on a secret information, police recovered 1253 liters of foreign liquor from the maize field of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent. Alleged recovery has been made from the open maize field and not from the conscious possession of the petitioner. He is no way concerned with the recovery of the illegal liquor. Petitioner has not been arrested on the spot rather his name has come in this case on the confessional statement of co-accused Pankaj Kumar Yadav. Charge sheet has also been filed in the case. He is in custody since 26.2.2020.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above 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 Additional Sessions Judge II cum Special Judge, Excise Act,



Begusarai in Gadhrpur Police Station Case No. 18 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

**(Prabhat Kumar Singh, J)**

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