

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28998 of 2020

Arising Out of PS. Case No.-192 Year-2019 Thana- GORAUL District- Vaishali

YUGESHWAR SINGH Son of Late Gajadhar Singh Resident of Village -
Pirapur Mathura, P.S.- Goraul, District - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-11-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

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.

Ms. Pushpa Sinha, APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Goraul PS Case No. 192 of 2019 registered under Sections 272, 273 of the IPC and Sections 30(A), 38(A) and 41(i) of Bihar Prohibition and Excise Act, 2016 .

The FIR discloses recovery of 820.320 liters of illicit liquor from the house of co-accused.

It is submitted by learned Counsel for the petitioner that his implication is based on recovery of his motorcycle from the front



of the house from where recovery has been made. It is submitted that the petitioner being 65 years old has become victim of the circumstances though he has no connection with the recovery of the illicit liquor from the house of co-accused. He has no criminal antecedent and he is in custody since 6.7.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge -cum- Special Judge, Excise Court, Vaishali at Hazipur in Goraul PS Case No. 192 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)

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