

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.13772 of 2021**

Arising Out of PS. Case No.-382 Year-2020 Thana- RAJAOLI District- Nawada

Uday Yadav, male, aged about 49 years, S/O Daso Yadav R/O village - Pahwa Chak, P.S. - Rajauli, District - Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Vinod Shankar Modi

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

2. 29-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Rajauli P.S. Case No. 382 of 2020, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, 225 liters of country-made *Mahua* wine has been recovered from the bank of river in village Mohkama and this petitioner is alleged to have fled away after seeing the police party.

It is submitted on behalf of petitioner that nothing has been recovered from conscious possession of the petitioner. The recovery has been made from the bank of river, which is a public place. Petitioner has got clean antecedent and he is in custody since 28.11.2020.



Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of allegation and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned A.D.J.-II cum Special Judge, Nawada in connection with Rajauli P.S. Case No. 382 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his 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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