

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15636 of 2021**

Arising Out of PS. Case No.-86 Year-2020 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Raju Yadav (Male) aged about 23 years, Son of Kewlal Yadav Resident of
Village Budhhol, P.S.- Bodh Gaya, District - Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kr. Sinha

For the Opposite Party/s : Smt. Suman Kumari Singh A.P.P.

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

2 06-07-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner seeks bail in M.U. P.S. Case No. 86 of
2020, registered for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act.

As per the prosecution case, 44.7 liters of illicit liquor
has been recovered from the motorcycle of the petitioner.

It is submitted on behalf of petitioner that nothing has
been recovered from conscious possession of the petitioner.
Petitioner is neither owner nor driver of the motorcycle in
question. He was simply sitting on the backside of the
motorcycle. Petitioner has got clean antecedent and he is in
custody since 09.08.2020.



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

Considering the nature of allegation and clean antecedent of petitioner, 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 Special Judge, Excise, Gaya in connection with Magadh University P.S. Case No. 86 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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