

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.14720 of 2021**

Arising Out of PS. Case No.-190 Year-2020 Thana- RAGHUNATHPUR District- Siwan

Shri Niwas Yadav, S/o Ram Kishun Yadav R/o Village- Gudrihata, P.O.-  
Kachnar, P.S.- Siswan, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Pandey, Advocate

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

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

2      24-07-2021                      The matter has been taken up 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.

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

The petitioner seeks bail in connection with  
Raghunathpur P.S. Case No.190 of 2020 registered for the  
offence punishable under Section 30(a)/38 of the Bihar  
Prohibition and Excise Act, 2016.

110 litres illicit country made liquor has allegedly  
been recovered from the bushes.



Counsel submits that the recovery is not from the possession of the petitioner, but from an open place accessible to one and all. The petitioner has been implicated merely on suspicion and is in custody since 26.11.2020.

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

Considering the rival submissions, this Court is inclined to allow the 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 learned Additional District & Sessions Judge-II Cum Special Judge, Excise, Siwan, in connection with Raghunathpur P.S. Case No.190 of 2020, 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.

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

**(Madhuresh Prasad, J)**

PNM

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