

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16210 of 2021**

Arising Out of PS. Case No.-317 Year-2020 Thana- KUMAR KHAND District- Madhepura

ENARJEET YADAV @ INARJEET YADAV @ ENDRAJEET YADAV S/O
BAIDYANATH PRASAD YADAV R/O VILLAGE-KEVATGAMA
P.S.KUMARKHAND, DISTRICT-MADHEPURA.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha,Advocate
For the Opposite Party/s : Ms.Sucheta Yadav,APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 25-06-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of this Court.

Heard learned counsel for the petitioner and Ms.
Sucheta Yadav, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Kumarkhand P.S. Case No. 317 of 2020
corresponding to Special Excise Case No. 962 of 2020
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that as per
the prosecution story, the informant on secret information that
one Vicky Singh has kept illicit liquor in the house of this
petitioner raided the house of the petitioner and on search



97.560 liters of illicit liquor was recovered and the petitioner got arrested.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has no concern with the said allegedly recovered liquor as also that the recovery has been made from the joint family house of the petitioner. The petitioner is in jail since 26.12.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that recovery of illicit liquor has been made from the joint family house of the petitioner, the petitioner has no criminal antecedent, he has remained in custody since 26.12.2020, investigation against him is complete but the trial is not likely to be taken up in near future, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge



(Excise), Madhepura in connection with Kumarkhand P.S. Case No. 317 of 2020 corresponding to Special Excise Case No. 962 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.



The application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

