

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22702 of 2021**

Arising Out of PS. Case No.-12 Year-2021 Thana- GUTHANI District- Siwan

=====

SHAMBHU YADAV S/o Late Harikant Yadav R/o village- Sahasraw, P.S.-
Asaon, District- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

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

For the Opposite Party/s : Mr.Syed Mojibur Rahman,APP

=====

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

2 17-08-2021 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 the Court.

Heard learned counsel for the petitioner and Mr. Syed
Mojibur Rahman, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Guthani P.S. Case No. 12 of 2021
registered for the offences punishable under Section 30(a) of
Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that as per
the prosecution story, the informant during patrolling duty saw
one Bolero vehicle and on seeing the police party, the accused
persons tried to flee away but on chase of the said vehicle they
were apprehended and on search of the said vehicle total 675

liters of illicit liquor was recovered.

Learned counsel 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 allegedly recovered illicit liquor. The petitioner is in custody since 17.01.2021.

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 total 675 liters of illicit liquor is said to have been recovered from Bolero vehicle of which the petitioner is said to be the driver, he has remained in custody in connection with this case since 17.01.2021, in one case stated in paragraph '3' he is on bail, investigation against him is complete but the trial is not likely to take place 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 District and Sessions Judge II cum Special Judge, Excise, Siwan in connection with Guthani P.S. Case No. 12 of 2021.

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'.