

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24750 of 2021

Arising Out of PS. Case No.-27 Year-2021 Thana- JAYNAGAR District- Madhubani

1. Nitish Kumar Yadav (Male) aged about 19 years, Son of Ram Kripal Yadav
2. Raja Kumar Yadav (Male) aged about 19 years, Son of Arun Yadav
Both resident of Village - Korhiya, Ward no. 6, P.S.- Jainagar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav
		Mr. Ravi Prakash
For the Opposite Party/s	:	Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-08-2021 At the outset, learned counsel for the petitioners informs that he has filed supplementary affidavit in this case for making correction in the name of petitioner no. 1 in the bail petition. Instead of “Nitish Kumar Yadav”, it has wrongly been typed as Nitish Kumar.

Let the error be corrected and name of petitioner no. 1 be read as “Nitish Kumar Yadav”.

Heard learned counsel for the parties through video conferencing.

The petitioners seek bail in Jainagar P.S. Case No. 27 of 2021, G.R. No. 135 of 2021, registered for the offence under Section 414 of the I.P.C. and Section 30(a) of Bihar Prohibition



and Excise Act.

Total 134 liters & 495 ml. of foreign liquor and Nepali liquor has been recovered from the motorcycles of these petitioners.

It is submitted on behalf of petitioners that nothing has been recovered from the conscious possession of the petitioners. Petitioners have got clean antecedent and are in custody since 21.01.2021.

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 petitioners is allowed. Let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge II cum Special Judge, Excise Act, Madhubani in connection with Jainagar P.S. Case No. 27 of 2021 (G.R. No. 135 of 2021), on the following conditions:

“(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the court below.



(2) If the petitioners tamper 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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