

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM OFFICIAL CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.27770 of 2021**

Arising Out of PS. Case No.-20 Year-2021 Thana- JAYNAGAR District- Madhubani

SANJAY KUMAR YADAV Son of Amrendra Yadav Resident of Dhanga
west, P.S.- Arer, District - Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

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

2 08-10-2021 Heard learned counsel for the petitioner and Mr. Ram
Naresh Ray, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Jaynagar P.S. Case No. 20 of 2021 corresponding to G.R. No. 116/2021 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act. He is in custody since 18.01.2021 having no criminal antecedent.

As per the prosecution case, the informant has alleged that while he got information that some persons on motorcycle and cycle are coming from Nepal with country made liquor towards India. After receiving information, the informant started checking, after some time he saw two persons coming on one motorcycle with loaded Bora and one person was coming on



cycle with one Bora, the alleged persons were stopped and search was made and in course of search total 53.4 litres of illicit liquor were recovered. On interrogation apprehended accused disclosed their names as Ritesh Kumar, Sanjay Kumar Yadav (the petitioner) and Vikash Kumar.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, petitioner has no concern with the seized illicit liquor, however, he is in custody since 18.01.2021.

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

Considering the facts and circumstances of the case wherein total 53.04 litres of illicit liquor were recovered from the motorcycle, petitioner is in custody in connection with this case since 18.01.2021 having no criminal antecedent, this court directs release of the petitioner above named on bail on furnishing of bail bond 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 Act, Madhubani in connection with Jaynagar P.S. Case No. 20 of 2021 corresponding to G.R. No. 116/2021, subject to the condition as laid down under Section



437 (3) Cr.P.C.

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.

(Rajeev Ranjan Prasad, J)

vats/-

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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'.

