

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22036 of 2021

Arising Out of PS. Case No.-122 Year-2018 Thana- KAUWAKOL District- Nawada

CHANDAN YADAV Son of Late Bhagirath Yadav Resident of Village -
Benipur, P.S.- Rupow, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

Mr. Bhavesh Kumar

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Kawakole P.S. Case No.
122 of 2018, registered for the offence punishable punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

On secret information that some criminals have
assembled including this petitioner at Jungle and a liquor bhatti
is being run by them, raid was conducted by the police party, but
the accused persons fled away and upon search 30 litres of
Mahua liquor, two quintals of Mahua and equipment for making
liquor were recovered.

It is submitted that no recovery has been made from



conscious possession of this petitioner. Petitioner was not apprehended on the spot rather he has been remanded in this case on 12.06.2019. Petitioner has no concern with the seized liquor. Similarly situated co-accused persons have been granted bail by different Benches of this court vide order dated 04.12.2019 passed in Cr. Misc. No. 70373 of 2019 and 21.08.2019 passed in Cr. Misc. No. 24872 of 2019. Chargesheet has already been submitted. In para 3 of the petition it is stated that petitioner is accused in 12 cases and out of them in 03 cases he has already been acquitted.

Considering the fact that no recovery has been made from conscious possession of petitioner and period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II-cum-Special Judge, Nawada in connection with Kawakole P.S. Case No. 122 of 2018, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates



without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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