

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29468 of 2021

Arising Out of PS. Case No.-461 Year-2020 Thana- RAJAOLI District- Nawada

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PAPPU YADAV Son of Parmeshwar Yadav @ Kailash Yadav Resident of
Village- Bara, P.S.- Rajauli, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-10-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Rajauli P.S. Case No.461/2020 registered for
the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016. He is in custody since
19.01.2021. The petitioner has got one criminal antecedent in
which he said to be on bail.

As per the prosecution story, the allegation against the
petitioner is that he was involved in manufacturing of illicit
liquor by operating liquor bhatti at different places. It is alleged



that on secret information, the police recovered a total 44 liters of country made liquor and several equipments which were used in manufacturing of illicit liquor from four different places as mentioned in the First Information Report.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the petitioner has neither apprehended at the spot nor anything incriminating has been recovered from the conscious possession of the petitioner. It is submitted that the petitioner is in custody in connection with this case since 19.01.2021.

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

Having regard to the facts and circumstances of the case wherein 44 liters of illicit liquor has been recovered from four different places, petitioner has one criminal antecedent of different nature and petitioner has been remanded from the said case in the present case on 19.01.2020, investigation against him is complete but the trial is not likely to take place in near future, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each



to the satisfaction of learned 2nd Additional District and Sessions Judge-cum-Special Judge, Nawada in connection with Rajauli P.S. Case No.461/2020, 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)

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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'.

