

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30160 of 2021

Arising Out of PS. Case No.-429 Year-2020 Thana- ALAMGANJ District- Patna

Munni Lal Yadav @ Gaurav Kumar Yadav S/O Gauri Shankar Ray @
Ganouri Shankar Ray R/o village- Khada Kuan, P.S.- Alamganj, District-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 12-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Special Case No. 4621 of 2020 (arising out of Alamganj P.S. Case No. 429 of 2020), registered for the offence under Sections 30(a) / 41(2) of Bihar Prohibition and Excise Act.

170 liters & 82 ml. of foreign liquor has been recovered from a Tata Safari vehicle and petitioner alongwith two other persons were named by the local people, who fled away after seeing the police.

It is submitted on behalf of petitioner that petitioner was not arrested on spot. Petitioner is neither owner nor driver of the seized vehicle and has got no concern with the alleged recovery. Petitioner is in custody since 22.02.2021.



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 petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No. 4621 of 2020 (arising out of Alamganj P.S. Case No. 429 of 2020), on the following conditions:

“(1) Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers 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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