

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 29712 of 2021

Arising Out of PS. Case No.-173 Year-2020 Thana- RAGHUNATHPUR District- Siwan

PREMJEEET YADAV S/o Rajdhani Yadav Resident of Village- Raghunathpur,
P.S.- Raghunathpur, District- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Prabhakar Singh, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-12-2021 Heard the parties through video conferencing.

Heard Mr. Prabhakar Singh, learned counsel
appearing on behalf of the petitioner and Tapeswar Sharma,
learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 07.02.2021,
seeks bail in connection with Raghunathpur P.S. Case No. 173
of 2020, for the offence punishable under Section 30(a)/38 of
the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that altogether 227
litres of country made liquor was recovered from the orchard of
Shreeram Tiwary of village-Raghunathpur.

Learned counsel appearing on behalf of the petitioner
submits that nothing has been recovered from the possession of



the petitioner. The alleged seized liquor has been recovered from the garden of Shreeram Tiwary and the petitioner has no criminal antecedent as such he deserves to be released on bail.

Learned A.P.P. for the State, however, opposes the prayer for grant of bail to the petitioner with submission that petitioner is engaged in illicit trade of liquor and as such the petitioner does not deserve to be released on bail.

Considering the aforesaid facts and circumstances of the case, it is directed that the learned Court below after verifying the criminal antecedent of the petitioner and after being satisfied as to whether any other criminal case or excise case is pending against the petitioner and after verifying the same and being satisfied no other case is pending, the petitioner, above named, be released on bail on furnishing bail bond of Rs. 1,00,000/- (Rs. One Lakh) each with two sureties of the like amount each to the satisfaction of the learned District & Sessions Judge-II-cum-Special Judge, Siwan in connection with Raghunathpur P.S. Case No. 173 of 2020 subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) 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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

manish/-

U		T	
---	--	---	--

