

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34767 of 2021

Arising Out of PS. Case No.-181 Year-2019 Thana- KATORIYA District- Banka

Bhagwat Yadav Son of Hari Yadav @ Hari Prasad Yadav Resident of Village-
Hirana, P.S.- Katoria, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-09-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner seeks bail in Special Excise – 421 of
2019, arising out of Katoriya P.S. Case No. 181 of 2019,
registered for the offence under Section 30(a)(g) / 32(2) of Bihar
Prohibition and Excise Act.

270 liters of country-made liquor has been recovered
from a Bolero vehicle, of which, this petitioner is owner.

It is submitted on behalf of petitioner that neither
anything has been recovered from the possession of the
petitioner nor he was arrested on the spot. Petitioner has got
clean antecedent and he is in custody since 07.01.2021.
Investigation is complete.

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 Additional Sessions Judge – II, Banka in connection with Special Excise – 421 of 2019, arising out of Katoriya P.S. Case No. 181 of 2019, 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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