

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34449 of 2021**

Arising Out of PS. Case No.-127 Year-2020 Thana- KHAJEKALA District- Patna

Ujwal Yadav @ Ujjawal Yadav Son Of Dayanand Singh Resident Of Village-  
Ward No.-59, Begam Ki Haweli, Panitanki, Police Station- Khajekalan  
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 : Ms. Pushpa Sinha

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      21-08-2021      Heard learned counsel for the petitioner and learned A.P.P. for  
the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the  
defects, as pointed out by the office, within four weeks of resumption  
of normal court proceeding. In the eventuality of non-removal of  
defects within undertaken period, the office will place the matter  
before the Bench.

The petitioner seeks bail in connection with Special Case No.  
3062 of 2020 (arising out of Khajekalan P.S. Case No. 127 of 2020)  
registered for the offence punishable under Section 30 (a) of the  
Bihar Prohibition and Excise Act.

It is submitted by learned counsel for the petitioner that no  
incriminating article has been recovered from the conscious physical  
possession of the petitioner rather 400 liters of illegal country made



liquor is said to have been recovered from the place of occurrence. He submits that the alleged illegal country made liquor was recovered from Mitani Ghat near the bank of *Ganges* and it does not belong to the petitioner. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. He has been falsely implicated in this case by the police due to some altercation with villagers. Petitioner has no criminal antecedent as has been mentioned in para-3 of the present petition and he is languishing in custody since 07.03.2021.

Petitioner is agreed to deposit a sum of Rs. 10,000/- (Rupees Ten Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Special Case No. 3062 of 2020 (arising out of Khajekalan P.S. Case No. 127 of 2020) subject to following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the



court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 10,000/- (Rupees Ten Thousand) in the PM Cares fund.

**(Anjani Kumar Sharan, J)**

GAURAV S./-

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