

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35559 of 2021**

Arising Out of PS. Case No.-28 Year-2020 Thana- PANCHRUKHI District- Siwan

Chhote Lal Yadav s/o-Late Ram Rekha Yadav, r/v-Gularbagh, PS-GB Nagar,
District-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Surendra Pd. Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 10-09-2021 This matter is taken up for consideration through
Video Conferencing.

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

The petitioner seeks bail in Pachrukhi P.S. Case No.
28 of 2020, registered for the offence punishable punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

475 litres of foreign liquor has been recovered from
Tata Sumo Victa and this petitioner fled away after seeing the
police party.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner is neither the
owner nor driver of vehicle in question and he has no concern



with the seized liquor. Petitioner is in custody since 25.03.2021 having no criminal antecedent, as stated in para 3 of the petition. Chargesheet has already been submitted.

Considering the period of custody coupled with the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional District and Sessions Judge-cum-Special Judge Excise, Siwan in connection with Pachrukhi P.S. Case No. 28 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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