

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 37892 of 2021

Arising Out of PS. Case No.-143 Year-2021 Thana- DUMRAO District- Buxar

1. PAPPU YADAV @ INDRAJEET YADAV Son of Late Manardan Yadav @ Mandal Yadav Resident of Village - Majhwari, P.S. - Simari, District - Buxar (Bihar).
2. JITENDRA YADAV Son of Late Manardan Yadav @ Mandal Yadav Resident of Village - Majhwari, P.S. - Simari, District - Buxar (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioners seek bail in connection with Dumraon (Naya Bhojpur O.P.) P.S. Case No. 143 of 2021 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

For recovery of 70.200 litres illicit liquor from *Indigo* car and motorcycle wherein the petitioners were seated, they have been arrested and are in custody since 26.03.2021.



Learned petitioners' counsel submits that based on their antecedents, they have again been implicated in this case though, they have no connection with the recovery. The petitioner no. 1 has been allowed bail in six out of seven cases pending against him and petitioner no. 2 in three out of four cases pending against him as per details in para 3 of the petition.

Learned APP has opposed the prayer for bail. It is submitted that illicit liquor has been recovered from petitioners' possession.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail of the petitioners are allowed. Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II-cum Special Judge, Excise, Buxar in Dumraon (Naya Bhojpur O.P.) P.S. Case No. 143 of 2021, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also



undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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