

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38496 of 2021

Arising Out of PS. Case No.-101 Year-2019 Thana- KASHICHAK District- Nawada

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VINOD YADAV, S/O RAMCHANDRA YADAV, R/o village- Uprawa, P.S.-
Kashichak, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 02-12-2021 This case is taken up out of turn for hearing because

of schedule marriage of the daughter of the applicant of

07.12.2021.

The applicant/accused in Crime No. 101 of 2019
registered with Police Station- Kashichak for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016 by this application is seeking his release on
bail during the pendency of the trial.

The applicant is behind the bars, as stated by the
learned counsel appearing for the applicant, from 20.01.2021.

Heard both sides.

It is alleged by the prosecution that about 202 litres of
illicit country made Mahua liquor came to be seized from the
field of co-accused Suresh Yadav. The applicant was not



apprehended on the spot. He is made as an accused on the information by the villagers. Co-accused Suresh Yadav with more serious allegation is already directed to be released by a Co-ordinate Bench of this Court vide order dated 13.05.2020 in Cr. Misc. No. 18173 of 2020. Hence on the principle of parity, the applicant is entitled for bail. Therefore, the following orders:-

(i). The application is allowed.

(ii). The applicant/accused in Crime No. 101 of 2019 registered with Police Station- Kashichak for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016, be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) and on furnishing one surety or two sureties of the like amount to the satisfaction of the trial court with the following conditions:-

(I). The applicant should attend the concerned trial court on each and every date of hearing. Two consecutive absence without sufficient cause of the applicant shall entail the trial court to forfeit the bail bonds of the applicant for taking him into custody.

(II). The applicant should not extend any threat,



promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(III). The applicant should cooperate the trial in expeditious disposal of the trial against him.

(IV). The applicant should not repeat commission of similar offence in future and if he is found to be doing so, the State is free to approach this Court for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue bail-writ as per this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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