

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39032 of 2021

Arising Out of PS. Case No.-141 Year-2021 Thana- RAJAOLI District- Nawada

SHANKAR YADAV, Son of Sri Badho Yadav, Resident of village -
Mohkama, P.S.- Rajauli, District - Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on secret information having been received by the police personnel, a raid was conducted and seeing the police personnel the accused persons numbering 12-14 managed to escape. 300 litres of mahua liquor and 3000 litres of fermented mahua was recovered which was destroyed. The name of the petitioner transpired in the statement of the chowkidar and the spy.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. He has been falsely implicated in the case because of his antecedent



under the Bihar Prohibition and Excise Act, 2016. He is in custody since 4.4.2021 and chargesheet has been submitted in the case.

It is further submitted by learned counsel for the petitioner that the urgency in taking up of the instant application would be evident from the serious medical condition of the petitioner, documents in support whereof have been brought on record along with the mention slip.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner not having been arrested at the spot nor any incriminating article having been recovered from his possession, the petitioner is directed to be enlarged on bail in connection with Rajauli P.S. Case no. 141 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Addl. Sessions Judge – cum – Special Judge, Nawada.

(Partha Sarthy, J)

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