

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39206 of 2021**

Arising Out of PS. Case No.-302 Year-2019 Thana- BENIPATTI District- Madhubani

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Pramod Yadav Son of Shree Lakshman Yadav @ Babajee Yadav Resident of
Village - Hurrahi, P.S.- Harlakhi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Karna

For the Opposite Party/s : Mr.Ram Anurag Singh

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

2. 01-10-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Benipatti P.S. Case No. 302 of 2019 (G.R. No. 2042 of 2019), registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

459 liters of Nepali Saufi Wine has been recovered from a Bolero vehicle and local Chaukidar has named this petitioner, as the person who fled away from the spot.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner is neither owner nor driver of the vehicle in question and has got no concern with the alleged recovery. Petitioner is in custody since 19.01.2021.

Learned A.P.P. for the State has opposed the bail



petition.

Considering the nature of allegation and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Excise Act Court, Madhubani in connection with Benipatti P.S. Case No. 302 of 2019 (G.R. No. 2042 of 2019), on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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