

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48439 of 2021

Arising Out of PS. Case No.-96 Year-2021 Thana- NAWADA MUFFASIL District- Nawada

Binod Yadav Son of Rambrich Yadav Resident of Village - Aqcuna, Police
Station - Muffasil, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-12-2021 Let the defects, if any, be removed within four weeks
of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Nawada Muffasil P. S Case No. 96 of 2021 for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

20 liters country made liquor were recovered from
the back door of the house of the petitioner.

Learned counsel for the petitioner submits that
nothing has been recovered from conscious possession of the
petitioner. It appears from the seizure list that 20 liters Mahua
wine has been recovered from the back door of the house of



the petitioner. He further submits that charge sheet has been submitted against the petitioner. Petitioner is in jail custody since 04.06.2021. On similar footing one co-accused has been granted bail by co-ordinate Bench of this Court in Cr. Misc. No. 42520 vide order dated 28.10.2021.

The learned A.P.P opposed the prayer for bail of the petitioner and submits that the petitioner is having one more case of same nature which is manifests from paragraph -3 of the petition.

Considering the aforesaid facts and circumstances as well as submissions of the parties and period of detention of the petitioner, let the petitioner, 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 Additional Sessions Judge-II cum Special Judge, Nawada Muffasil in connection with Nawada Muffasil P.S.Case No. 96 of 2021 ,subject to the following conditions;-

1. 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 on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.



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

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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