

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36926 of 2020

Arising Out of PS. Case No.-407 Year-2020 Thana- DEHRI TOWN District- Rohtas

Munna Yadav, male, aged about 38 years, Son of Lalan Singh Yadav @ Lalan Yadav, Resident of Village - West Mohan Bigaha, Ward No. 17, P.S. - Dehri (T), District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Siddharth Harsh, Advocate
For the State : Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 02-02-2021

Heard Mr. Siddharth Harsh, learned counsel for the petitioner and Mr. Md. Arif, learned In-charge Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner is in custody in connection with Dehri (T) PS Case No. 407 of 2020 dated 12.06.2020, instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner is that he was caught upon chase by the police and from his bathroom, 52.5 litres of country-made liquor was recovered.

4. Learned counsel for the petitioner submitted that he has wrongly been made accused and not caught at the spot where recovery was made. It was further submitted that the petitioner, though having one case of similar nature of the year



2017, has not committed the present offence and is in custody since 13.06.2020.

5. Learned APP submitted that from the bathroom of the petitioner there has been recovery of liquor.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional District and Sessions Judge-cum-Special Judge, Excise, Rohtas at Sasaram in Dehri (T) PS Case No. 407 of 2020, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates,



without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

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