

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.483 of 2021

Arising Out of PS. Case No.-89 Year-2020 Thana- TILAUTHU District- Rohtas

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YOGENDRA PRASAD ALIAS PINTU Son of Shri Durga Prasad Resident of
Village- Tilouthu, P.S.- Tilauthu, District- Rohtas, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh, Advocate
For the State : Ms. Renuka Ratnakar APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 08-03-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

The petitioner seeks bail in Tilouthu PS Case No 89 of 2020, instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The informant (police party) has received information regarding storage of illicit liquor for its transportation elsewhere, in a Community Hall. The police party has reached the Community Hall, whereafter, it is alleged that four persons have fled away.

The petitioner's counsel submits that the petitioner has no criminal antecedents and his implication is on statement of local '*Chowkidar*' who claims to have identified four accused persons, including the petitioner. Even as per prosecution case,



recovery is not from petitioner's possession. The Community Hall was having general access to one and all, for which, criminality cannot be attributed to the petitioner. He is in custody since 26.08.2020.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, let the petitioner, above named, 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 the learned Additional District and Sessions Judge-II-cum-Special Judge, Excise Act, Rohtas, Sasaram, in connection with Tilouthu PS Case No 89 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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