

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 461 of 2021**

Arising Out of PS. Case No.-171 Year-2020 Thana- BUXAR INDUSTRIAL District- Buxar

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BHUAR YADAV @ RAVINDRA YADAV SON OF GAURI YADAV
RESIDENT OF VILLAGE- PADARI, P. O.- CHURAMANPUR, P.S.-
BUXAR INDUSTRIAL AREA, DIST- BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Sanjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr Ramchandra Sahni, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 05-03-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Buxar (Industrial Area)
Police Station (for brevity, *PS*) Case No 171 of 2020 instituted
for the offence punishable under Section 30 (a) of Bihar
Prohibition and Excise (Amendment) Act, 2018.

300 liters of illicit liquor has allegedly been recovered
from the Tempo and the persons, who were arrested at the spot,
have named the petitioner along with other co-accused persons
as being the consignee of the illicit liquor.

It is submitted by the petitioner's counsel that other
than confessional statement of co-accused, having no
evidentiary value, there is nothing on record to suggest the



petitioner's implication in this occurrence. He has no criminal antecedent and has falsely been implicated in this case. Admittedly, he was not at the place of recovery. He is in custody since 18.09.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge, Excise, Buxar in Buxar Industrial Area PS Case No 171 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today



for depositing requisite Court fee and removing the defect (s), as
pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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