

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4920 of 2021**

Arising Out of PS. Case No.-181 Year-2019 Thana- JAYNAGAR District- Madhubani

KARI YADAV @ MAHESH YADAV SON OF LATE BHOLA YADAV
Resident of Village - Selra, P.S.- Jaynagar, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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

2 26-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 07.09.2020 in connection with Jaynagar P.S. Case No. 181 of 2019 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act and Section 272/273/34 of the Indian Penal Code.

As per the prosecution case, one co-accused Pradeep Mukhiya was arrested on the spot and upon search, 620 liters of Nepali Saufi liquor has been recovered who disclosed the name of this petitioner along with other accused persons who are alleged to have fled away after seeing the police.

It is submitted on behalf of the petitioner that nothing



has been recovered from the possession of the petitioner. It is further submitted that the name of this petitioner has come in the confessional statement of co-accused Pradeep Mukhiya who has already been granted bail by this Hon'ble Court vide order dated 15.07.2019 passed in Cr. Misc. No. 43317 of 2019. Petitioner is in custody since 07.09.2020.

Considering the aforesaid facts and circumstances and that nothing has been recovered from the conscious possession of the petitioner, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Excise Act, Madhubani, in connection with Jaynagar P.S. Case No. 181 of 2019, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers 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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