

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.4196 of 2021**

Arising Out of PS. Case No.-30 Year-2020 Thana- RAJPUR District- Rohtas

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Tengari Yadav @ Banarsi Singh aged about 41 years S/o Keshav Singh R/o  
Village- Rajpur, P.S.- Rajpur, District- Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr.Upendra Prasad Singh, Advocate

For the Opposite Party : Mr. PK Pandey, Addl Public Prosecutor

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

2      19-03-2021                      Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the  
offence punishable under Section 30a of the Bihar Prohibition  
and Excise Act.

As per the prosecution case, 117.12 liters of foreign  
liquor has been recovered from the house of the petitioner.  
However, petitioner fled away at the time of making raid.

Learned counsel appearing for the petitioner submits  
that the petitioner is innocent and has falsely been implicated in  
this case. No incriminating material has been recovered from the  
conscious possession of the petitioner and he is no way  
concerned with the alleged recovery and the house in question is  
his joint family house. Petitioner has got clean antecedent as  
stated in paragraph 3 of the bail petition. Petitioner is in



custody since 31.7.2020.

Considering the facts of the case and the fact that no incriminating material has been recovered from the conscious possession of the petitioner and petitioner has got no criminal antecedent, 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 Additional Sessions Judge II cum Special Judge, Excise Act, Rohtas at Sasaram in Rajpur Police Station Case No. 30 of 2020 the on 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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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