

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5699 of 2021

Arising Out of PS. Case No.-137 Year-2019 Thana- NAUTAN District- West Champaran

SANJAY YADAV Son of Indal Yadav @ Ramayodhya Yadav Resident of
Village - Budhwaliya, P.S.- Nautan, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha, Advocate
For the Opposite Party/s : Mr. Manoj Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-04-2021

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Section Sections 147, 148, 149, 341, 323, 353, 307 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Informant who is a police officer has alleged that on 04.04.2019 during evening patrolling a secret information was received that co-accused Indal Yadav, his son Birendra Yadav and other family members were indulged in trade of illegal liquor. Consequently, a raid was laid and from the courtyard of co-accused Indal Yadav, 15 litres of country made liquor were recovered and from the motorcycle parked there, 8.460 litres of Indian Made Foreign Liquor were recovered. It is further alleged that the accused persons including the petitioner started



assaulting the informant and the raiding party. Subsequently, co-accused Indal Yadav, Punam Kumari and Shobha Devi were arrested and others managed to escape from the scene.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. Nothing was recovered from the conscious possession of the petitioner. Similarly placed co-accused persons Indal Yadav and Birendra Yadav have already been granted bail by different co-ordinate Benches of this Court vide order dated 06.02.2020 passed in Cr. Misc. No.4105 of 2020 and vide order dated 21.08.2020 passed in Cr. Misc. No.22211 of 2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Nautan P.S. Case No.137/19 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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