

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5705 of 2021**

Arising Out of PS. Case No.-28 Year-2020 Thana- BISHWAMBHARPUR District-
Gopalganj

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BHIM YADAV, SON OF RAGHUNATH YADAV R/O VILLAGE- SIPAYA
KHAS, KHEM MATAHINIYA, P.S.- VISHAMBHARPUR, DISTRICT-
GOPALGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar No.1, APP

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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 Sections 30(a), 30(b) of the Bihar
Prohibition & Excise (Amendment) Act, 2018.

Allegation is recovery of 72 litres country-made
liquor from a sack which was being carried by co-accused,
Rahim Ansari on his motorcycle. On interrogation, arrested
person disclosed that seized wine belongs to Munna Yadav,
Dina Nath Yadav, Bhim Yadav (petitioner).

It has been submitted on behalf of the petitioner that
petitioner is innocent and has falsely been implicated in this
case due to village politics. Nothing was recovered from the
conscious possession of the petitioner. It has been submitted that



name of the petitioner has surfaced in this case on the confessional statement made by the co-accused and except said confessional statement, there is no any other incriminating material against the petitioner. Petitioner is in custody since 21.10.2020.

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 Vishwambharpur P.S. Case No.28 of 2020 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)

Sanjay/-

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