

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8152 of 2021

Arising Out of PS. Case No.-354 Year-2020 Thana- BARH District- Patna

Arvind Yadav aged about 35 years S/O Late Bhuneshwar Yadav R/O Budhani Chack, Gulabbagh, Barh, P.S-Barh, District-Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. UP singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-05-2021 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, on the secret information a raid was conducted and 1000 liter Java Mahua, one gas cylinder and 20 liters Mahua wine were recovered from the orchard.

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 rather recovery has been made from the orchard of one Karu Yadav. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 13.10.2020.

Considering the facts and circumstances of the case and the fact that no incriminating material has been recovered from the conscious possession of the petitioner and he bears clean 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 the Special Judge, Excise Act, Patna in Barh Police Station Case No. 354 of 2020/Special case No. 5422 of 2020 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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