

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6962 of 2021

Arising Out of PS. Case No.-79 Year-2019 Thana- GARDANIBAG District- Patna

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JYOTISH YADAV @ JYOTISH ROY @ RAJIV KUMAR S/O SURESH
RAI @ SURESH PRASAD RESIDENT OF BATUKESHWAR DUTTA
LANE, P.S-JAKKANPUR, DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Usha Kumari Singh, Advocate
For the Opposite Party/s : Mr. Mritunjay Kr. Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 17-04-2021 The defect (s) as pointed out by the Office be removed by the learned counsel for the petitioner within two months after High Court resumes its normal functioning.

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Informant who is a police officer has alleged that on 04.02.2019 after receiving a confidential information that a four wheeler has come and illegal wine is to be unloaded, he along with police personnel reached there and on seeing the police party, the said four wheeler fled away and two persons also fled



away. It was informed to the informant that the said car was being driven by one Jyotish Yadav and another two persons were Ujjawal Yadav and Vikash Yadav. The informant raided the house of Ujjawal Yadav and Vikash Yadav and found 54.525 litre of illegal wine from their house.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. Petitioner is driver of the said car and nothing was recovered from his conscious possession and he has nothing to do with the alleged recovered liquor. Petitioner is in custody since 31.08.2020.

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 Special Case No.1615/2019 arising out of Gardanibagh P.S. Case No.79/2019, 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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