

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7908 of 2021

Arising Out of PS. Case No.-165 Year-2020 Thana- PANDAUL District- Madhubani

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BABLU YADAV SON OF RAM VILAXAN YADAV RESIDENT OF
VILLAGE- BATURI, POLICE STATION- PANDAUL, DISTRICT-
MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr. Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-04-2021 Heard Mr. Shailendra Kumar Jha, learned counsel for

the petitioner and Mr. Chandrasen Prasad Singh, learned counsel

appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with

Pandaul P.S. Case No. 165 of 2020 corresponding to G.R. No.

802 of 2020 registered for the offence under Section 272 / 273

of the I.P.C. and Section 30 (a) / 36 / 38 / 41 (i) of the Bihar

Prohibition and Excise Act, 2016.

The allegation is that Police on the basis of secret

information that the petitioner is indulged in the sale of illicit

liquor from his hut, proceeded towards the place of occurrence

and recovered 573 liters of illicit liquor from the hut of the

petitioner made of bamboo and asbestos.



Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged. Referring to paragraph no. 6 of the petition learned counsel submits that illicit liquor has not been recovered from the conscious possession of the petitioner and the hut from where illicit liquor has been recovered does not belong to the petitioner and the same is situated in an open space which is accessible to all and sundry. Learned counsel next submits that petitioner is in custody since 16.10.2020, charge sheet has already been submitted and petitioner has got no criminal antecedent. Learned counsel next submits that there is no possibility that the petitioner will abscond or tamper with the evidence.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the fact that petitioner has got no criminal antecedent, charge sheet has already been submitted, there is no possibility that the petitioner will abscond or tamper with the evidence and petitioner is in custody since 16.10.2020, as such, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Addl. Sessions Judge IInd cum Special
Judge, Excise Act, Madhubani in connection with Pandaul P.S.
Case No. 165 of 2020 corresponding to G.R. No. 802 of 2020.

It is made clear that at the time of furnishing bail bond
all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

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