

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9578 of 2021

Arising Out of PS. Case No.-109 Year-2020 Thana- HATHUA District- Gopalganj

HIRA YADAV @ HIRA CHOUDHARY Son of Adalat Choudhary @ Adalat
Yadav Resident of Village- Barwa Kaparpura, P.S.- Hathuwa, District-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Setu Prateek

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Hathuwa P.S. Case No.
109 of 2020, registered for the offence punishable punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

57 litres of illicit liquor has been recovered which was
hidden in straw in front of the house of petitioner and petitioner
was apprehended on the spot.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Recovery has been made
from open place which accessible to general public. Petitioner
is in custody since 14.11.2020 having clean antecedent, as stated



in para 3 of the petition. Chargesheet has already been submitted.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged 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 learned Additional Sessions Judge 2nd-cum-Special Judge Excise Act, Gopalganj in connection with Hathuwa P.S. Case No. 109 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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