

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11322 of 2021

Arising Out of PS. Case No.-05 Year-2020 Thana- NADI NAINAHA District- West
Champaran

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Ashok Yadav S/o Umashankar Yadav, Resident of Village- Karahiya Basauna,
P. S. - Nadi, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 08-07-2021 In view of sudden resurgence of COVID–19 infection

there is limited functioning of the High Court and therefore the

matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and the

learned APP for the State.

This Court would expect that the petitioner’s Counsel

would honour his undertaking in the instant proceedings

regarding supply of requisite court fee etc. within two weeks

from the date he is called upon to do so by the office.

Petitioner seeks bail in Nadi P.S. Case No. 05/2020

registered for offence punishable under section 30 (a) of the

Bihar Prohibition and Excise Act.

270 litres 360 ml illicit liquor has allegedly been



recovered from the back side of a Bolero vehicle. The petitioner's implication is on the basis of some information to the police they would likely to bring such decamp.

The counsel for the petitioner submits that having no criminal antecedent the petitioner has falsely been implicated in this case. He was neither arrested at the time and place of recovery nor there is any recovery from him. The petitioner is stated to be in custody since 14.11.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran in Nadi P.S. Case No. 05/2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on



each date and if he fails to do so on two consecutive
dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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