

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4986 of 2022

Arising Out of PS. Case No.-650 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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MANIKCHAND YADAV Son of Late Shyam Gop Resident of Village -
Pokhariyadih, P.s.- Sariya, Distt.- Giridih (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a

period of four weeks from today.

The petitioner seeks bail in connection with G.O.

Case No. 650 of 2021 registered for the offence under Section

30(a) and 56(b) of the Bihar Prohibition and Excise Act, 2018.

The petitioner is named in the FIR and is in

custody since 14.11.2021.

The allegation against the petitioner is to drive a

pickup van, loaded with the consignment of 414 litre of illicit

Indian made foreign liquor.

Learned counsel appearing on behalf of the



petitioner submitted that the petitioner is a driver of a vehicle, where recovery of illicit Indian made foreign liquor has been made. He has further submitted that during course of the investigation nothing surfaced, which may connect the petitioner with the alleged recovery or suggest that he was under knowledge of illicit foreign liquor. While arguing over the matter, it has further been submitted that petitioner is a man of clean antecedent and charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

APP appearing on behalf of the State while opposing the prayer for bail fairly conceded the fact that alleged recovery has not been made from the physical or conscious possession of the petitioner.

Considering the facts and circumstances as mentioned above, as nothing surfaced during course of the investigation, which may suggest that the petitioner was under knowledge about the consignment of illicit foreign made liquor coupled with the fact that charge-sheet has already been submitted and also petitioner is man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with G.O. P.S. Case No. 650 of 2021 on furnishing bail bond of



Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Nawada subject to the following conditions:

“(i) Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be son of the petitioner, namely, Sunil Yadav, who is the deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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