

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8828 of 2022

Arising Out of PS. Case No.-236 Year-2021 Thana- BUXAR INDUSTRIAL District- Buxar

1. Munna Yadav
2. Shambhu Yadav
Both Son Of Ramdev Yadav, Resident Of Village- Majhariya, P.S- Buxar (I),
Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-07-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in a case registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

Recovery is of 259.200 liters of foreign liquor.

Learned counsel appearing for the petitioners submits that the petitioners have falsely been implicated in the present case only on the basis of suspicion. He further submits that it



appears from the FIR as well as seizure list that nothing has been recovered from conscious possession of the petitioners rather the recovery has been made from three cycles in question. He further submits that the name of the petitioners has been transpired on the basis of the disclosure made by the local Chaukidar. He further submits that the petitioners have no concern at all with the alleged recovery and the petitioners are in custody since 08.12.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners and submits that the petitioner No.1 carries two more cases and petitioner No.2 carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Buxar (I) P.S.Case No. 236 of 2021 with the following conditions:-

(1) Petitioners 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



on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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