

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9744 of 2022**

Arising Out of PS. Case No.-594 Year-2021 Thana- JAHANABAD District- Jehanabad

Ganga Yadav Son of Mohit Yadav @ Parmeshwar Yadav Resident of Village-  
Babhna, P.S. and District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      09-06-2022                      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 two weeks  
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with  
Jehanabad P.S. Case No. 594 of 2021 registered for the offence  
under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in  
custody since 29.12.2021.

The allegation against the petitioner is to run away  
from godown, from where 30 liters of country made Mahua  
liquor was recovered, on police raid.

Learned counsel appearing on behalf of the petitioner



submitted that the name of the petitioner surfaced in this case on the basis of confessional statement of co-accused, namely, Anuj Prasad. It has further been submitted that nothing incriminating has been recovered from the physical possession of the petitioner. It has also been submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that nothing incriminating has been recovered from the physical possession of the accused/petitioner.

Considering the facts and circumstances as mentioned above, as nothing incriminating has been recovered from the physical possession of the petitioner coupled with the fact that petitioner is a man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with Jehanabad P.S. Case No. 594 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 Special Judge, Excise, Court No.II, Jehanabad, subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing the State



shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be properly represented 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 duly supported by the documents.

(iii) That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

**(Chandra Shekhar Jha, J)**

Ankit/-

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