

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11355 of 2022

Arising Out of PS. Case No.-71 Year-2020 Thana- RAJAOLI District- Nawada

SANJAY YADAV Son of Bundi Yadav Resident of Village - Hathhochak,
Nagarbatri, Police Station - Rajauli, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Rajauli
P.S. Case No. 71/2020 lodged under Sections 30 (a)/41 of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that charge
sheet has already been submitted in this case and the petitioner
is in custody since 20.07.2021. He further submits that as per
FIR and seizure list, it transpires that recovery was alleged to
be made near river, only where total 30 liters of wine and
another 40 liters of wine is alleged to be recovered nearby place
of Mahadeo Singh, as such no recovery took place from the
conscious possession of the petitioner. He further submits that
the other co-accused persons, namely, Parwati Devi and Tulsi



Ram have been granted bail by the co-ordinate Bench of this Court vide order dated 21.01.2022 passed in Cr. Misc. No. 57814/2021 and other co-accused, namely, Mahadeo Singh @ Mahadeo Ram has been granted bail vide order dated 04.09.2020 passed in Cr. Misc. No. 22706/2020.

The learned A.P.P. for the State opposes the prayer for bail.

In the facts and circumstances of the case that charge sheet has already been submitted and petitioner is in judicial custody since 20.07.2021, let the petitioner above named be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IInd cum Special Judge, Nawada, in connection with Rajauli P.S. Case No. 71/2020 , subject to conditions:-

The petitioner is directed to file an affidavit before the trial court that he shall not involve in such type of activities in future, at the time of furnishing his bail bond.

The prosecution is at liberty to file cancellation of bail, in case the petitioner violates his undertaking.

Petitioner is also directed to appear on each and every dates in this case before the trial court, failure to appear on two



consecutive dates shall be resulted into cancellation of bail of
the present petitioner.

(Dr. Anshuman, J)

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