

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12489 of 2022

Arising Out of PS. Case No.-374 Year-2020 Thana- PATNA CITY CHOWK District- Patna

ARUN YADAV @ ARUN GOPE Son of Late Rama Gope @ Rama Yadav
Resident of Village - Ghasiyari Tola, Sudarshan Path, P.s.- Chowk, Distt.-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate

For the Opposite Party/s : Mr.Dr. Indivar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Chowk P.S. Case No.374 of 2020, for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

The prosecution case, in brief, is that altogether 94
litres of country made liquor was recovered. The nearby people
disclosed that the seized liquor belonged to the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case mere on suspicion. He further submits



that the alleged liquor is said to be recovered by the Police in abandoned condition below the bridge. The petitioner is in custody since 04.04.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 1,00,000/- (Rs. One lakh) with two sureties of the like amount each to the satisfaction of the learned Special Judge-Excise, Patna City, Patna in connection with Chowk P.S. Case No. 374 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take



steps to cancel his bail bonds.

(Purnendu Singh, J)

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