

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13656 of 2022

Arising Out of PS. Case No.-207 Year-2021 Thana- GOPALPUR District- Bhagalpur

BANKA YADAV @ BANKEY YADAV S/o Firangy Yadav Resident of
Village- Tintanga, Karari, P.S.- Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for 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 regular bail in connection with
Gopalpur P.S. Case No. 207 of 2021 for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

As per the allegation made in the F.I.R., 40 litres of
country made liquor was recovered from the field of one Binod
Yadav which is located near the house of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner has been implicated in a false case.



Nothing has been recovered from physical or conscious possession of the petitioner rather the alleged recovery is from the field of one Binod Yadav. Petitioner is neither engaged in manufacturing of illicit liquor nor its trade in any manner. Petitioner has clean antecedent and is in custody since 09.09.2021.

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

Considering the nature of allegation made in the F.I.R. and period of custody undergone by the petitioner, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Bhagalpur in connection with Gopalpur P.S. Case No. 207 of 2021, 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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