

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14301 of 2022

Arising Out of PS. Case No.-44 Year-2021 Thana- KATRA District- Muzaffarpur

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Pandav Yadav S/O Balbodh Yadav Resident Of Village- Mehsautha, Tole
Bathaul Police Station- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from the date of resumption of
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Katra P.S. Case No. 44 of 2021 registered for
the alleged offences under Section 30 (a), 30(c), 32 and 41(i) of
the Bihar Prohibition and Excise Act.

The prosecution case is that on receiving secret
information about petitioner and other co-accused persons
manufacturing and supplying illicit liquor from some places
near Budhnad river. A raid was conducted at that place and 20
liters of illicit country made liquor with 1200 liters of



concentrated solution of jaggery and utensils were seized. Some utensils for manufacturing the liquor were also seized. The petitioner and other co-accused persons escaped from spot.

Learned counsel for the petitioner submits that the petitioner is innocent and nothing has been recovered from his person or possession. The petitioner has got no concern with the co-accused person. The place from which recovery has been made does not belong to this petitioner. Charge sheet has been submitted in this case and the petitioner is in custody since 15.01.2022.

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

Having regard to the submissions made hereinabove and considering the fact that petitioner has not been apprehended from the spot and further considering the quantity of the liquor seized along with period of custody of this petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Muzaffarpur in connection with Katra P.S. Case No. 44 of 2021, subject to the following conditions :



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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