

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14147 of 2022

Arising Out of PS. Case No.-260 Year-2019 Thana- NAWADA MUFFASIL District- Nawada

Rajo Yadav Son Of Late Budhan Yadav @ Late Lao Yadav R/O Village-
Jagarnathpur (GORIGHAT), P.S.- Muffasil, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner as

well as learned Additional Public Prosecutor for the

State through video conferencing.

Petitioner seeks bail in a case registered in
connection with Muffasil P.S.Case No. 260 of 2019 for
the offences punishable under Sections 307 and other
allied sections of the Indian Penal Code and sections 41,
45 30(a) of the Bihar Prohibition and Excise Act 2016.

As per the prosecution case, it is alleged that
petitioner along with other co-accused persons having
opposed the action of police personnel being taken for
seizure of illicit liquor. It is further alleged that all the



accused persons including this petitioner having engaged in brick batting against the police personnel

It is submitted by the learned counsel for the petitioner that no illicit liquor has been recovered from his person or possession. It is next submitted that so far as the allegation of brick batting is concerned, the same has been levelled against all the accused persons and no specific allegation has been levelled against the petitioner. It is also submitted that petitioner is behind the bar since 23.01.2022 though the persons having identical allegation has already been granted bail by different Benches of this Court in Cr. Misc. No. 84635 of 2019 vide order dated 19.12.2019, Cr. Misc. No. 22486 of 2020 vide order dated 15.09.2020 and Cr. Misc. No.22485 of 2020 vide order dated 15.09.2020. The copies of the aforesaid orders have been annexed as Annexure-3 series to the present application.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that petitioner has made obstruction in



discharging the official duty of the police.

Having heard the rival contentions of the parties and taking into consideration the nature of allegation against the petitioner, apart from the fact that persons having identical allegation have been granted bail by different learned co-ordinate Benches of this Court and moreover, petitioner is in custody since 23.01.2022, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court 1st Nawada in connection with Muffasil P.S.Case No. 260 of 2019 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence



or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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