

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14913 of 2022

Arising Out of PS. Case No.-264 Year-2021 Thana- NARDIGANJ District- Nawada

Sanjay Yadav, Son of Shobhi Yadav @ Kishori Yadav, Resident of Village-
Buchhi, P.S.- Nardiganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of 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 Nardiganj P.S. Case No. 264 of 2021 registered for the alleged offences under Sections 30(a), 30(D) and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that the petitioner and other co-accused persons were involved in manufacturing of illicit liquor and on chance raid, the place where they have been manufacturing the illicit liquor, 29.5 litres of ready country made liquor was recovered along with some articles used for



manufacturing of country made liquor. About 1050 litres of sweet mahua mixture was also found. Petitioner and other co-accused escaped from the spot and they were identified by the Chowkidar.

The learned counsel for the petitioner submits that petitioner was not apprehended from the spot and nothing has been recovered from his possession. He has got no concern with the alleged place of occurrence or the recovered articles. Petitioner is an accused in an another case in which he is on bail. The charge-sheet has been submitted in this case. The petitioner is in custody since 02.02.2022.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact of non-apprehension of the petitioner from the spot, submission of charge-sheet along with the period of custody of the 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-2, Nawada, in connection with Nardiganj P.S. Case No. 264 of 2021, subject to the following conditions :

(i) The bail bond of the petitioner will be accepted



only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) 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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