

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15199 of 2022

Arising Out of PS. Case No.-11 Year-2022 Thana- BUXAR INDUSTRIAL District- Buxar

RAKESH YADAV S/o Sanjay Yadav R/o Village- Ahirauli, P.S.- Buxar (Ind.),
Dist- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-06-2022 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
Buxar (Ind.) P.S. Case No. 11 of 2022, for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

The allegation is recovery of 103.680 country made
liquor from the boat.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case. He further submits that nothing has been
recovered from the possession of the petitioner. He further
submits that the petitioner has clean antecedent and he is in



custody since 28.01.2022.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He further submits that trade of illicit liquor is rampant in the State of Bihar and often hooch tragedy is being occurred due to consumption of illicit liquor by the people at large and as such petitioner is involved in heinous crime and he does not deserve to be released on bail.

Considering the aforementioned facts and circumstances of the case, taking into consideration the period of custody undergone by the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 50,000/- (Rs. Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise 1st , Buxar in connection with Buxar (Ind.) P.S. Case No. 11 of 2022, 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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