

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15730 of 2022**

Arising Out of PS. Case No.-549 Year-2021 Thana- BIHPUR District- Bhagalpur

Pappu Yadav Son Of Ram Yadav Resident Of Sahebpur Kamal, Police Station
- Sahebpur Kamal, District - Begusarai.

... .. Petitioner/s

Versus

The State of bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Renu Kumari

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 15-07-2022 Let the defects(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State by virtual mode.

The petitioner seeks bail in connection with Bihpur
(Jhandapur) P.S. Case No. 549 of 2021 registered for the
offences punishable under Sections 30(a), 32 of Bihar
Prohibition and Excise Act-2018.

As per prosecution case, there is alleged recovery of
732 litre foreign liquor from Pickup van in question and two
accused persons were arrested by the police. It is alleged that on
the disclosure of apprehend accused, the police team raided in
Sahebpur Kamal and arrested the petitioner who disclosed that
he along with others used to sell illegal liquor.



Learned counsel for the petitioner submits that petitioner is in custody since 09.12.2021 and bears criminal history of four cases in which one case is of similar nature and petitioner is on bail in all the cases. Charge sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence. He further submits that nothing has been recovered from the conscious possession and house of the petitioner and his name has been falsely implicated in this case.

Learned A.P.P for the State opposes the prayer for the bail of the petitioner.

Considering the facts and circumstances of the case, petitioner is in custody since 09.12.2021, charge-sheet has been submitted in the case and there is no likelihood of tampering the evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Special Excise Judge Bhagalpur, in connection with Bihpur (Jhandapur) P.S. Case No. 549 of 2021, subject to following conditions:-

(I) One of the bailors shall be either father or mother



or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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