

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16327 of 2022

Arising Out of PS. Case No.-561 Year-2021 Thana- RAJAOLI District- Nawada

=====

SUBODH YADAV Son of Suresh Yadav Resident of Village - Andharwari,
P.S.- Rajauli, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Narendra Kumar (App 154)

=====

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 virtual court proceeding.

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 Rajauli P.S. Case No. 501 of 2021 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that secret information was received by the police that the petitioner and other co-accused persons have been manufacturing illicit country made liquor in the Kolhawa forest. When the place was raided, 6 to 7 persons fled away from there. From that place, 60 liters country made



mahua liquor was recovered. Apart from this recovery, a motorcycle and articles being used in manufacturing of the country made liquor and 2000 liters of *jawa mahua* were also recovered.

The learned counsel for the petitioner submits that petitioner was not apprehended from the spot and he has just been named in the case on the basis of secret information. The motorcycle recovered from the spot does not belong to this petitioner. Charge Sheet has been submitted in this case and the petitioner is in custody since 07.02.2022.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the submissions made hereinabove and considering the fact that charge sheet has been submitted and further considering the 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 IInd, Nawada in connection with Rajauli P.S. Case No. 561 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)

Gautam/-

U		T	
---	--	---	--

