

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17010 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- SIWAN CITY District- Siwan

ARVIND KUMAR YADAV Son of Chotelal Yadav Resident of Village -
Andar Dhala Laxmipur Siwan, P.S.- Nagar Thana Siwan, District - Siwan
(Bihar), Pin Code – 841226

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Satish Kumar

For the Opposite Party/s : Mr.Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 02-06-2022 Learned counsel for the petitioner is directed to remove
all the defects pointed out by the office within one month.

Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Siwan Town P.S. Case No. 47 of 2022, registered for
the offences punishable under Sections 30 (A) of Bihar Prohibition
and Excise (Amendment) Act, 2018.

As per allegation, the police party got information that
some miscreants were selling illicit liquor near the lodge of Chotelal
Chaudhary. The police party conducted raid at the place of
occurrence and arrested the petitioner and co-accused Jai Prakash
Kumar, meanwhile, two persons became successful in fleeing away.
220 litres of liquor was recovered from the place of occurrence.



Learned counsel for the petitioner has submitted that petitioner is under custody since 23.01.2022.

Considering the facts and circumstances as well as the period of detention, let the petitioner above-named be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-cum-Special Judge Excise Court-2 Siwan in connection with Siwan Town P.S. Case No. 47 of 2022, subject to the following conditions:-

(i) The petitioner shall be present physically before the learned court below on each and every date till framing of the charges.

(ii) After releasing the petitioner, the learned court below shall verify his criminal antecedents, and if it is found that he is accused in any other case except Siwan Town P.S. Case No. 793 of 2018, as disclosed in paragraph No. 3 of the bail petition, his bail bond shall be cancelled.

(iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(iv) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below



will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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