

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20291 of 2022

Arising Out of PS. Case No.-158 Year-2021 Thana- LADANIA District- Madhubani

SUNIL YADAV @ SUNIL KUMAR YADAV Son of Bittu Yadav @ Bilat
Yadav Resident of village - Yogiya Semra Tol, P.S.- Ladaniya, Dist.-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 29-07-2022 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 Ladaniya P.S. Case No. 158 of 2021 registered
for the alleged offences under Sections 272 and 273 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Amendment Act, 2018.

Allegedly recovery of 300.900 liters of country made
nepali liquor was made from behind the house of the petitioner
and the co-accused person named the petitioner and another co-

accused Shatrughan Yadav who were the owner of the seized liquor.

Learned counsel for the petitioner submits that the petitioner has no role in the alleged recovery. The recovery has been made from an open space and there is no recovery from conscious possession of the petitioner. Charge sheet has been submitted in this case and the petitioner is in custody since 02.11.2021.

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

Having regard to the submission made and the facts and circumstances and considering the submission of charge sheet as well as 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Ladaniya P.S. Case No. 158 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also 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 the person, who has sworn the affidavit.

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

(iv) In case of absence on 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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