

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23993 of 2022

Arising Out of PS. Case No.-414 Year-2020 Thana- Kateya District- Gopalganj

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Ramakant Yadav @ Ramu @ Ramu Yadav son of Surendra Yadav @ Suli Chaudhary Resident of Village - Bhopatpur, Police Station - Kateya, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-08-2022 Heard the parties through video conferencing.

Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kateya P.S. Case No. 414 of 2020 lodged under Sections 30(a),
37(c) of the Bihar Prohibition and Excise Amendment Act,
2018.

As per the prosecution case, there is total recovery of
2 litre desi sharab used to be made in the present case.

Learned counsel for the petitioner submits that the
present petitioner is not apprehended from the place of

occurrence. He further submits that his name has figured in this case by the identification of the local chaukidar of the said village. Learned counsel for the petitioner submits that nothing was recovered from his possession. His name was inserted by the police only and only due to the reason that his antecedent is not clean. He further submits that petitioner is in custody since 08.12.2020, charge sheet has already been filed. He further submits on the point of his criminal antecedent that he is law abiding person and ready to obey the Court's order and shall fulfill the conditions for granting bail.

Learned counsel for the State opposes the prayer for bail and submits that petitioner has got these criminal cases pending against him.

Considering the facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned IInd Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj in connection with Kateya P.S. Case No. 414 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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