

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24465 of 2022

Arising Out of PS. Case No.-192 Year-2019 Thana- LADANIA District- Madhubani

PRAMOD YADAV @ PRAMOD KUMAR YADAV Son of Rajendra Yadav
Resident of Village - Yogiya, P.S.- Ladaniya, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 01-08-2022 Let the defect(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.

The petitioner seeks bail in connection with Ladaniya Case No. 192 of 2022, G.R. No. 2184 of 2019 registered for the offences punishable under Sections 272, 273/34 of Indian Penal Code read with Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

As per prosecution case, there is alleged recovery of 648 litres of nepali liquor from place of occurrence. After seeing police personnel accused persons fled away. Local Chaukidar disclosed the name of persons who fled away as Petitioner and other co-accused persons.

Learned counsel for the petitioner submits that



petitioner is in custody since 07.04.2022. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that nothing has happened as alleged in the F.I.R. Petitioner is not apprehended on spot. Neither the cycle nor the alleged liquor belongs to the petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, petitioner is not apprehended on spot, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, keeping in view clean antecedent of the petitioner 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 Additional District and Sessions Judge-2nd-cum-Special Judge, Excise Act, Madhubani in connection with Ladaniya P.S. Case No. 192 of 2019, G.R. No. 2184 of 2019, 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 without appropriate permission 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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