

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25977 of 2022**

Arising Out of PS. Case No.-129 Year-2022 Thana- NAUTAN District- West Champaran

Satyendra Yadav @ Satendra Kumar Yadav Son of Late Darshan Yadav
Resident of Village - Bariyarpur, P.s.- Nautan, Distt.- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-08-2022 Heard learned counsel for the petitioner and
learned APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is in custody in connection with
Nautan P.S. Case No. 129/2022 under Section 30(a) Bihar
Prohibition and Excise Act.

The prosecution story, in brief, is that the
informant received secret information that accused Satyendra
Yadav has hidden illegal liquor at the back side of his house
and he was to supply the same to some other place. The
informant along with police personnel reached the house of
the accused Satyendra and apprehended one person who



disclosed his name as Satyendra Yadav, the petitioner herein. Thereafter, the police conducted a search and recovered/seized 225 liters of illegal liquor from the bushes situated at the back side of the house of the petitioner.

Learned counsel for the petitioner submits that altogether 225 liters of foreign liquor has been alleged to be recovered/seized from behind the house of the petitioner for which he cannot be implicated. Still he was named as an accused in the said resulting into being in jail since 10.03.2022 (as stated in para 8 of the bail application).

Considering the recovery/seizure has been shown to be from behind the house of the petitioner, he is in custody since 10.03.2022, no criminal antecedent has been attributed in the said bail application and charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge Excise Bettiah, West Champaran, in connection with Nautan P.S. Case No. 129/2022 subject to the following conditions:



(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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