

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26881 of 2022

Arising Out of PS. Case No.-351 Year-2020 Thana- BALIYA District- Begusarai

CHANDRAMANI YADAV S/o Late Harilal Yadav @ Hari Yadav R/o
village- Danauli Fulwariya, P.S.- Ballia, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kumar Kashyap
For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-06-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Ballia Police Station Case No. 351 of 2020, registered for the offences punishable under Sections 272/273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

This is the second attempt on behalf of the petitioner for grant of regular bail. Earlier, the prayer for regular bail of the petitioner was dismissed as withdrawn, vide order, dated 04.02.2022, passed in Criminal Misc. No. 44124 of 2021, giving liberty to the petitioner to renew his prayer for bail after three months from the date of the order.

The prosecution case, as per the First Information



Report, is that the police, on the basis of secret information that the petitioner and others were involved in the manufacturing of illicit liquor, proceeded towards the place of occurrence and upon seeing the police party, the petitioner and others managed to escape, however, the police recovered 80 litres of illicit country-made liquor and 200 litres of raw material from the liquor kiln.

Learned Counsel for the petitioner submits that the petitioner has renewed his prayer for bail, as observed by this Court in the order dated 04.02.2022. He further submits that the petitioner was not arrested at the spot and he has been made accused on the basis of secret information received by the police. He further submits that no illicit liquor has been recovered from his conscious possession. He further submits that the petitioner is in custody since 12.04.2021 and charge sheet has been submitted and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

After having heard learned Counsel for the parties and taking into consideration the fact that this is second attempt on behalf of the petition for grant of regular bail, the petitioner is in custody since 12.04.2021 and charge sheet has been submitted, I am inclined to grant regular bail to the petitioner.



This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Begusarai, in connection with Ballia Police Station Case No. 351 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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