

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26307 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- BHAIKAVSHTHAN District- Madhubani

Manoj Kumar Yadav Son Of Yogendra Yadav Resident Of Village- Belha
Malin , P.S- Ladaniya, Dist- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 30-08-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Bhairab Ashthan P.S. Case No.47/2022 instituted under
Sections 272, 273 of the IPC and 30(a) of Bihar Prohibition and
Excise Act, 2016.

As per the allegation, the police upon information
intercepted a Mahindra vehicle and it is alleged that 396 litres
Nepali countrymade wine and 18 liter beer was being
transported from Nepal to India.

Learned counsel for the petitioner submits that he has
no criminal antecedent and he is in custody since 07.03.2022
and charge-sheet stands submitted.



Considering the aforesaid fact that the petitioner is in custody since 07.03.2022, charge-sheet stands submitted and and he has no criminal antecedent, this Court is inclined to grant him privilege of bail. However, if it is found that he do have criminal antecedent, this bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Bhairab Ashthan P.S. Case No.47/2022 to the satisfaction of learned Additional Sessions Judge, IInd-cum-Special Judge, Excise Act, Madhubani, subject to following conditions:

(i) one of the bailor should be the family member 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 cancellation of his bail by the Trial court itself;

(iii) the petitioner 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 steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Prakash Narayan /-

U		T	
---	--	---	--

