

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31056 of 2022

Arising Out of PS. Case No.-87 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

=====

RABIN YADAV @ RABIN KUMAR @ RAVINDRA YADAV SON OF
SHAMBHU YADAV R/O VILLAGE- SAHUGARH TOLA DIWANI, WARD
NO.-12, P.S.- AND DISTRICT- MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh

For the Opposite Party/s : Mr.Sangeeta Sharma

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 05-08-2022 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 through virtual mode.

The petitioner seeks bail in connection with
Madhepura Excise P.S. Case No. 87 of 2022 registered for the
offences punishable under Sections 30(a), 30(c) of Bihar
Prohibition and Excise Act, 2018.

As per prosecution case, there is alleged recovery
of 50 litres of illicit Chulai liquor from the place of occurrence.
Petitioner is apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 15.03.2022. Petitioner bears



criminal antecedent of one case of similar nature. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that nothing has been recovered from the conscious possession of the petitioner. The alleged Bamboo yard from where recovery has been made does not belong to the petitioner. Petitioner has no concern with the alleged recovered illegal Chulai liquor

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

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-IV-cum-Special Judge, Excise, Madhepura in connection with Madhepura Excise P.S. Case No. 87 of 2022, 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)

amitkr/-

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

