

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30420 of 2022**

Arising Out of PS. Case No.-100 Year-2022 Thana- RAMGARH District- Kaimur (Bhabua)

RAKESH YADAV S/o Jitendra Yadav R/o village- Katarkala, P.S.- Mohaniya,  
District- Kaimur at Bhabhua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Kiran Kumari Sharma, Adv.

For the Opposite Party/s : Mr.Khurshid Anwar, APP

**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 court proceedings.

The petitioner seeks bail in connection with  
Ramgardh Nuaon P.S. Case No. 100 of 2022 registered for the  
offences punishable under Section 414 of the Indian Penal Code  
read with Section 30(a) of the Bihar Prohibition and Excise Act,  
2016.

As per prosecution case, there is alleged recovery  
of 102.780 litres of illicit foreign liquor from the car in question.  
The petitioner along with other co-accused was apprehended on  
spot.

Learned counsel for the petitioner submits that



petitioner is in custody since 29.03.2022 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering the evidence. Learned counsel further submits that petitioner has no concern with the alleged liquor and he has falsely been implicated in this case.

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 and keeping in view clean antecedent of 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) each with two sureties of the like amount each to the satisfaction of learned Court of Additional Sessions Judge-II-cum-Special Judge Excise Kaimur at Bhabhua in connection with Ramgardi (Nuaon) P.S. Case No. 100 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 would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tamper 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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