

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30247 of 2022

Arising Out of PS. Case No.-42 Year-2019 Thana- AMAS District- Gaya

Kedar Yadav, Son of Late Badri Yadav, Resident of Village - Khairi, P.S.-
Kashma, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Javed Jafar Khan, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Excise G.R. No. 312 of 2019, arising out of Amas P.S. Case No. 42 of 2019, registered for the alleged offences under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

Allegedly, from the semi constructed house of the petitioner, 60 litres of country made Mahua liquor was recovered.



The learned counsel for the petitioner submits that petitioner is innocent and nothing has been recovered from his conscious possession. The house from where recovery is stated to be made does not belong to this petitioner. The petitioner is in custody since 19.04.2022 and is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the house from where recovery has been made does not belong to the petitioner and further considering the period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge, Court No. 2, Gaya in connection with Excise G.R. No. 312 of 2019, arising out of Amas P.S. Case No. 42 of 2019, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the



bail bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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