

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30836 of 2022**

Arising Out of PS. Case No.-58 Year-2022 Thana- NAWANAGAR District- Buxar

=====

Santosh Yadav S/o Late Bihari Yadav Resident of Village-Kadsar, P.S.-
Nawanagar, District-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 26-08-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 30(a), 33, 34, 41(1)(2) of the
Bihar Prohibition and Excise Act, 2018.

Recovery is of 110 litres of Honda Sonifizar Sprite.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case only on the basis of confessional statement of co-
accused. He further submits that nothing has been recovered
from the conscious possession of the petitioner rather recovery



has been made from one Boleri vehicle in question and the petitioner has no concern at all with the vehicle in question and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 02.05.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries seven more cases other than the present one but fairly submits that the petitioner is on bail in all the cases.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Nawanagar P.S. Case No. 58 of 2022, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Ibrar//-

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

