

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44358 of 2021

Arising Out of PS. Case No.-183 Year-2021 Thana- BUXAR District- Buxar

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Kallu Yadav, S/O Late Ganga Yadav, R/O Village-Chhotki Sarimpur, P.S-
Buxar (t), District-Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kamlesh Prasad Yadav, Advocate

For the Opposite Party/s : Mr.Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-02-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

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

The petitioner, who is in custody since 12.04.2021,
seeks regular bail in connection with Buxar (T) P.S. Case No.
183 of 2021, registered for the offence punishable under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

The prosecution case, in brief, is that altogether
203.900 litres of illicit liquor was recovered near the Chhathiya
Muhalla, Ganga Ghat, Buxar. Accordingly, seizure list was
prepared.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that nothing has been recovered from the conscious possession of the petitioner. He has clean antecedent. He further submits that co-accused Bal Bahadur Ram has already been enlarged on regular bail by this Court in Cr. Misc. Case No. 41875 of 2021 vide order dated 22.01.2022. Petitioner is the sole bread earner of the family and is in custody since 12.04.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.50,000/- (Rs. Fifty Thousand only) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II cum Special Judge, Excise, Buxar in connection with Buxar (T) P.S. Case No. 183 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) petitioner shall co-operate in the trial and shall be

properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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