

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42374 of 2021

Arising Out of PS. Case No.-94 Year-2021 Thana- RAGHUNATHPUR District- Siwan

VIDYARTHI YADAV Son of Late Ramjas Yadav Resident of Village -
Adampur, P.S.- Raghunathpur, Distt.- Siwan.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Ajay Kumar Tiwary, Advocate.
For the State : Mr. Tapeswar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 20-01-2022 The applicant/accused is given out of turn hearing on the basis of the certificate issued by the Mukhiya of the Gram Panchayat to the effect that his mother died on 12.01.2022.

The applicant/accused in Crime No.94 of 2021 registered with Police Station-Raghunathpur for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, by this application is seeking his release on bail after filing of the chargesheet.

Heard the learned counsel appearing for the applicant/accused. He submits that the applicant is having no criminal antecedents and the investigation of the crime in question is already over.

The learned A.P.P. opposed the application by contending that the applicant along with co-accused was found in



possession of the liquor.

I have considered the submissions so advanced and also perused the materials placed before me.

The investigation of the crime in question is already over.

On the basis of secret information, police conducted raid and found the applicant along with other accused persons in possession of illicit liquor of 435 liters quantity.

As the applicant is having no criminal antecedents and the chargesheet has already been filed, I see no reason to deny bail to the applicant. Therefore, the following order:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.94 of 2021 registered with Police Station-Raghunathpur for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, be released on bail on executing P.R. bond of Rs.15000/-(Rupees Fifteen Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any



police officer.

(II). The applicant should cooperate the trial in expeditious disposal of the trial against him.

(III). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

P.S./-

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