

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43117 of 2021**

Arising Out of PS. Case No.-32 Year-2020 Thana- NIMCHAKBATHANI District- Gaya

SANJAY YADAV @ SANJAY PRASAD YADAV S/O LATE MAHADEO
YADAV R/O VILLAGE-BANDI TOLA KALYANPUR, P.S-NEEMCHAK
BATHANI, DISTRICT-GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 03-02-2022 Heard Mr. Sanjeev Kumar, learned counsel for the

petitioner and Mr. Awadhesh Kumar Singh, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with
Neemchak Bathani P.S. Case No. 32/2020 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The Police recovered 76.125 litres of illicit foreign
liquor from the trough (*Naad*) situated at the door of the house
of the petitioner.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and illicit



foreign liquor has not been recovered either from his conscious possession or inside his house. He further submits that from perusal of the seizure list it would be evident that the illicit liquor has been recovered from the trough (*Naad*) situated outside the house of the petitioner near the door which is an open space accessible to all and sundry. He next submits that the petitioner is in custody since 8.3.2021, charge sheet has already been submitted and the trial is not likely to be concluded in near future due to Covid-19 pandemic.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner is in custody since 8.3.2021, charge sheet has already been submitted and the trial is not likely to be concluded in near future due to Covid-19 pandemic, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II – cum Special Judge, Excise Act, Gaya, in connection with Neemchak Bathani P.S. Case No. 32/2020.

It is made clear that at the time of furnishing bail



bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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