

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34615 of 2022

Arising Out of PS. Case No.-479 Year-2021 Thana- BRAHMPUR District- Buxar

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Satyendra Yadav @ Manjhil Son of Rajendra Yadav @ Rajindra Singh
Resident of Village - Chakki Bhola Dera, P.s.- Chakki OP, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-09-2022 Let the defects, if any, be removed within four weeks from today.

Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State through video conferencing.

Petitioner seeks bail in a case registered in connection with Brahmpur P.S.Case No. 479 of 2021 for the offences punishable under Sections 279, 337, 338, 353/34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition & Excise Act 2018.

It is alleged that the police on a secret information that the petitioner and other co-accused persons are engaged in trading of illicit liquor intercepted a Scorpio vehicle and



on search 129 liters illicit foreign made liquor was recovered.

Learned counsel for the petitioner submits that petitioner is neither apprehended at the spot nor he has any concerned with the said vehicle from where the recovery has been made. He next submits that save and except the suspicion, there is no other material suggesting the complicity of the petitioner. He further submits that the petitioner is in custody since 31.08.2021 and after completion of investigation, charge sheet has been submitted and further keeping the petitioner behind the bar would serve no purpose.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that petitioner is also named in one another criminal case.

Having heard the rival contentions of the parties and taking into consideration the fact that the petitioner was neither apprehended nor any incriminating material has been recovered in as much as he has no concern with the vehicle from where the recovery has been made, let the petitioner, above named, be released on bail on furnishing



bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-II, Buxar in connection with Brahmpur P.S.Case No. 479 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 antecedent, the court below shall take step for cancelling 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.

(Harish Kumar, J)

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