

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44202 of 2021

Arising Out of PS. Case No.-1120 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhojpur

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Bhual Yadav, Son Of Raghunath Yadav, R/O Village- Hari Ke Tola, P.S.-
Khwaspur (O.P.), District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh, Adv.
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-02-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Excise Case No.1120 of 2021 registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016. He is in custody since 15.06.2021. The
petitioner has got no criminal antecedent.

As per the prosecution story, 311.400 liters of illicit
liquor was recovered from a Bolero vehicle from which the
petitioner was tried to flee away on seeing the police party.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that there is no recovery of illicit liquor from the conscious possession of the petitioner. It is submitted that the co-accused Rajdhani Yadav has been granted bail by a learned coordinate Bench of this Court in Cr.Misc.No.42884 of 2021.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner was arrested by the police due to mistake of fact when he was going to his relative house and he was not trying to flee away, further submission that the co-accused Rajdhani Yadav has been granted bail by a learned coordinate Bench of this Court in Cr.Misc.No.42884 of 2021, so far as the present petitioner is concerned, he has got no criminal antecedent and is in custody since 15.06.2021, his presence may also be secured in course of trial, therefore, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV-cum-Special Judge, Excise, Bhojpur at Ara in



connection with Excise Case No.1120 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 antecedent, 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.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

