

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.44529 of 2021**

Arising Out of PS. Case No.-214 Year-2020 Thana- MUFFASIL District- Aurangabad

MANTU YADAV, Son of Alakh Yadav, Resident of Village - Badri Bigaha,
P.S.- Aurangabad (Mufasil), District – Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey, Advocate

For the Opposite Party/s : Ms.Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 18-02-2022 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 Ms. Asha Kumari, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Aurangabad (Muffasil) P.S. Case No. 214 of 2020 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018. He is in custody since 03.06.2021 having no criminal antecedent as stated in paragraph ‘3’ of the application.

As per the prosecution story, the informant has alleged that while he got secret information that one Alakh Yadav and his son are indulged in selling and purchasing of



illicit liquor, he raided the place and recovered 166 liters of illicit liquor. Alakh Yadav was arrested on the spot but his son Mantu Yadav (petitioner) fled away.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that altogether 166 liters of illicit liquor have been recovered from the house of the petitioner and father of the petitioner was arrested on the spot. Learned counsel further submits that petitioner has later on surrendered and since then he is in custody.

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

Having regard to the submissions that altogether 166 liters of illicit liquor have been recovered from the house of the petitioner, his father was arrested on the spot but allegedly the petitioner fled away, the petitioner has later on surrendered and since then he is in custody w.e.f. 03.06.2021, investigation against him is complete, he has otherwise no criminal antecedent and his presence may be secured in course of trial, therefore this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the



like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge (Excise), Aurangabad in connection with Aurangabad (Muffasil) P.S. Case No. 214 of 2020, 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.)

Rajeev/-

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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'.

