

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35385 of 2022

Arising Out of PS. Case No.-147 Year-2022 Thana- JAHANABAD District- Jehanabad

Dilip Yadav Son Of Ramchandra Yadav Resident of Village- Unta Madarpur,
P.S. and District- Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Digvijay Singh, Advocate.

For the Opposite Party/s : Mr.Nityanand, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 21-09-2022 The learned counsel for the petitioner is directed to re-

move all the defects pointed out by the Stamp Reporter within

one month.

Heard Mr. Kunwar Digvijay Singh, learned counsel
for the petitioner and Mr. Nityanand, learned APP for the State.

Petitioner seeks regular bail in connection with Jehan-
abad P.S. case no. 147 of 2022 registered for the offences pun-
ishable under Sections 353, 504 of the Indian Penal Code read
with section 37(c) of Bihar Prohibition and Excise Amendment
Act 2018.

Allegedly, this petitioner firstly consumed alcohol and
thereafter created nuisance and on seeing the police force he
abused and scuffled with the police personnel.

The main submissions advanced by Mr. Kunwar



Digvijay Singh, learned counsel for the petitioner are that there is a simple allegation against the petitioner of having consumed alcohol and creating nuisance and at the time of his arrest no incriminating material was recovered from possession of this petitioner and he has been languishing in jail since 7.3.2022. Further submission is that against the petitioner there is criminal antecedent of eight cases but petitioner has got bail in all the said cases.

Mr. Nityanand, learned APP has opposed the prayer for bail.

Having considered above submissions and nature of allegation and mainly taking into account the facts that as per the order of learned Court below the investigation has been completed against the petitioner and the cognizance of the alleged offences has been taken by the Court below and the petitioner's case is at initial stage of trial, in the opinion of this Court, a lenient approach can be taken in respect of petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Jehanabad P.S. case No. 147 of 2022 on the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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