

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45710 of 2021

Arising Out of PS. Case No.-8 Year-2021 Thana- ARER District- Madhubani

=====

BINDESHWAR YADAV @ BINDE @ BINDU S/o YOGENDRA YADAV
R/o VILLAGE-PARKAULI (BHADULI), P.S-ARER, DISTRICT-
MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 23.03.2021,
seeks regular bail in connection with Arer P.S. Case No. 08 of
2021 for the offence punishable under Sections 272 and 273/34
of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that altogether 84.15
litres of illicit Indian Made Foreign Liquor was recovered from
the latrine near by the house of the petitioner. Accordingly,
seizure-list was prepared.



Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that petitioner was not apprehended on the spot as on the date of recovery of alleged liquor, the petitioner along with his wife had gone to his Sasural and when he came from there he was apprehended by the Police personnel on 23.03.2021. He further submits that petitioner has no criminal antecedent and nothing incriminating article or illicit liquor was recovered from the conscious possession of the petitioner.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. One Lakh with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Arer P.S. Case No. 08 of 2021 (G.R. No. 294 of 2021), subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court



concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

manish/-

U		T	
---	--	---	--

