

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39392 of 2022

Arising Out of PS. Case No.-285 Year-2021 Thana- MADANPUR District- Aurangabad

BHOLA YADAV @ AKALESH KUMAR Son of Tripuari Yadav, Resident of
Village - Gawal Bigha, P.S.- Madanpur, Distt.- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar, Adv.

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2022 Let the defects, as pointed out by the Office, be
removed within a period of two weeks from today.

Heard learned counsel for the petitioner and learned
APP for the state.

Petitioner seeks regular bail in connection with
Madanpur P.S. Case No. 285 of 2021 alleged under Section
30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

As per the prosecution, total recovery of excise
material in the present case is 202 litres of illicit liquor.

Learned counsel for the petitioner submits that total
recovery of 46 liter has alleged to be made from the petitioner.
He further submits that charge sheet has already been filed in
this case and he has having one criminal antecedent. Petitioner
is in custody since 07.05.2022. Learned counsel for the

petitioner further submits that he shall not be involved in such type of offence in future.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Special Judge, Excise Court, First, Aurangabad (Bihar) in connection with Madanpur P.S. Case No. 285 of 2021, subject to the conditions as laid down under Section 437(3) Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal

activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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