

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49322 of 2021

Arising Out of PS. Case No.-218 Year-2021 Thana- GOGRI District- Khagaria

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1. RAMDEO YADAV Son of Late Yugal Yadav Resident of Village - Ward No.- 8, Usari, P.S.- Gogri, District - Khagaria
 2. Sarita Devi, Wife of Lelho Yadav Resident of Village - Ward No.- 8, Usari, P.S.- Gogri, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-04-2022 Heard learned counsel appearing on behalf of the petitioners 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 seeks regular bail in connection with Gogri P.S. Case No. 218 of 2021, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is of recovery of altogether 25 litres of country made liquor from the possession of the petitioner.

Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and they have falsely been implicated in this case, the alleged recovery has been made



from the joint house of the petitioner. The petitioner No.1 is aged about 74 years and petitioner no.2 is lady and they have nothing to do either with the manufacturing of the country made liquor nor trade of the illicit liquor. The petitioners are in custody since 22.05.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner and submits that trade of illicit liquor is rampant in the State of Bihar and often hooch tragedy is being occurred due to consumption of illicit liquor by the people at large and as such petitioners are involved in heinous crime and they do not deserve to be released on bail.

Considering the aforementioned facts and circumstances of the case, taking into consideration that petitioner No.1 is aged about 74 years old man and petitioner No.2 is daughter-in-law of petitioner No.1 and the fact that the alleged recovery has been made from the joint house of the petitioners, the petitioners, above named, are directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J-II-cum-Special Judge (Excise), Khagaria in connection with Gogri P.S. Case No. 218 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)

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