

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41813 of 2022

Arising Out of PS. Case No.-251 Year-2021 Thana- SISWAN District- Siwan

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NAND KISHORE YADAV Son of Ramnath Yadav Resident of Village -
Gyaspur Mathiya, P.S.- Siswan, District – Siwan.

... .. Petitioner/s

Versus

The State of Bihar

.. ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate.

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Siswan P.S. Case No. 251 of 2021 lodged under Sections 30(A)
and 38(1) of Bihar Prohibition and Excise Act.

As per the prosecution case, total recovery of 178
litres of english wine alleged to have been made from Dalan of
the petitioner though he is not apprehended from the place of
occurrence.

Learned counsel for the petitioner submits that alleged



recovery has been made from Dalan which is open and local villagers used to come there. He further submits that petitioner is in custody since 24.05.2022. Charge-sheet has already been filed and he has having clean antecedent.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Court of Special Judge (Excise) Court No. 2, Siswan in connection with Siswan P.S. Case No. 251 of 2021, subject to the conditions as laid down under Section 437(3) of 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.



With this observation, the bail application stands
allowed.

(Dr. Anshuman, J)

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