

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.43300 of 2022**

Arising Out of PS. Case No.-33 Year-2022 Thana- LAKHNAUR District- Madhubani

RAM PUKAR YADAV @ RAMPUKAR Son of Late Bhikhar Yadav  
Resident of Village - Gangapur, P.s.- Lakhanaur, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                  |
|--------------------------|---|--------------------------------------------------|
| For the Petitioner/s     | : | Mr.Ravi Prakash, Adv.<br>Mr.Gagandeo Yadav, Adv. |
| For the Opposite Party/s | : | Mr.Akshay Lal Pandit, APP                        |

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY  
ORAL ORDER**

2      29-08-2022                      Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with Lakhnaur P.S. Case No. 33 of 2022 dated 07.03.2022 G.R. No. 135 of 2022 registered for the offences punishable under Sections 272, 273 and 34 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, there is alleged recovery of 72 litres foreign liquor from the house of the petitioner. The petitioner fled away from the spot.

Learned counsel for the petitioner submits that



petitioner is in custody since 26.04.2022 and bears no criminal antecedent. Learned counsel further submits that occurrence took place on 07.03.2022 at about 13:45 p.m. and FIR lodged on 15:30 p.m. and seizure list has been prepared at 13:45 p.m. and said FIR as well as seizure list has been seen by the learned court below on 08.03.2022. It is further submitted that petitioner's signature has not been taken on seizure list.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II cum Special Judge, Excise Act, Madhubani in connection with Lakhnaur P.S. Case No. 33 of 2022 dated 07.03.2022 G.R. No. 135 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.



(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

**(Alok Kumar Pandey, J)**

minu/-

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