

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40737 of 2022

Arising Out of PS. Case No.-144 Year-2022 Thana- AMAS District- Gaya

Rohani Yadav Son Of Sukan Yadav Resident Of Village - Kolhua, P.S.-
Madanpur, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office
will place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

Allegation against the petitioner is that he along with
other co-accused is said to have fled away from the place of
occurrence after seeing the police.

Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 30 liters of country made liquor is said to have recovered from the motorcycle. He submits that the said vehicle was sold to another person on 30.04.2022. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 20,000.00 (Rupees Twenty Thousand) in the account of Member Secretary Bihar State Legal Services Authority, bearing No. 0380000100252472, IFSC Code: PUNB0038000, Punjab National Bank, Patna.

Considering the facts and circumstance of the case and the fact that there is no recovery from the conscious possession of the petitioner, let the above named petitioner, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Amas P.S. Case No.



144 of 2022, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C., with further conditions:

(1) that one of the bailors will be a close relative of the
petitioner, who will give an affidavit giving genealogy as to who
he is related with the petitioner. He will also undertake to
inform the court if there is any change in the address of the
petitioner.

(II) that the bailor shall also stated on affidavit that he will
inform the Court concerned if the petitioner is implicated in any
other case of similar nature after her release in the present
case and thereafter the Court below will be at liberty to initiate
proceeding for cancellation of bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned
Court below on showing receipt of the aforesaid amount in the
account of Member Secretary Bihar State Legal Services
Authority, Patna.

(Anjani Kumar Sharan, J)

ajay/-

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

