

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41584 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- KEWATI District- Darbhanga

SANTOSH YADAV @ TENSION YADAV S/o Rajendra Yadav R/o village-
Darima, Tole, Itharwa, P.S.- Keoti, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha
For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 25-08-2022 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 Keoti
P.S. Case No. 16 of 2022 registered for the offences punishable
under Sections 30(a) of the Bihar Prohibition and Excise Act.

As per prosecution case, there is alleged recovery
of 56.25 litres foreign liquor from the Innova car in question.
The local people disclosed the name of the petitioner who fled
away from the place of occurrence.

Learned counsel for the petitioner submits that
petitioner is in custody since 13.05.2022 and bears criminal
antecedent of three cases of similar nature. Learned counsel



further submits that nothing recovered from the conscious possession of the petitioner and he was not apprehended on the spot.

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, the petitioner was not apprehended on the spot, also taking into consideration the material available on record, let the petitioner above named be released on bail, **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-I, Excise Act, Darbhanga in connection with Keoti P.S. Case No. 16 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/-

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

