

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52092 of 2021

Arising Out of PS. Case No.-127 Year-2021 Thana- AKBARPUR District- Nawada

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RANJU YADAV SON OF JAGDISH YADAV R/O VILLAGE-
NANUBIGHA, P.S.- AKBARPUR, DISTRICT- NAWADA.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr. Man Mohan Kumar, Advocate.
For the State : Mr. Anil Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 03-02-2022 The applicant/accused in Crime No.127 of 2021 registered with Police Station-Akbarpur for the offence punishable under Section 30(a)(d) of the Bihar Prohibition and Excise Act, 2016, by this application is seeking his release on bail during the pendency of the trial.

Heard both sides.

The learned counsel appearing for the applicant submits that the applicant was not apprehended from the spot of the incident and there is no evidence that the ferment mixture of dry grapes is containing alcohol.

The applicant is seeking out of turn hearing because of marriage of his daughter scheduled on 05.02.2022.

The learned A.P.P. opposed the application.

Undisputedly, charge-sheet has been filed after completion



of investigation. The applicant is behind the bars from 19.04.2021. He was not apprehended on the spot nor there is anything to show that the field in question was owned or possessed by him. In this view of the matter, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.127 of 2021 registered with Police Station-Akbarpur for the offence punishable under Section 30(a)(d) of the Bihar Prohibition and Excise Act, 2016, be released on bail on executing P.R. bond of Rs.10000/-(Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

- (I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.
- (II). The applicant should cooperate the trial in expeditious disposal of the trial against him.
- (III). The applicant should not contact the members of the prosecuting party as well as witnesses in this



case in any manner till conclusion of the trial.

(IV). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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