

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42887 of 2022

Arising Out of PS. Case No.-310 Year-2020 Thana- AKBARPUR District- Nawada

Nandu Yadav Son of Sukhdeo Yadav @ Shukdev Yadav Resident of Village -
Lohsinghna, P.S.- Akbarpur, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30 (a) of the
Bihar Prohibition and Excise Act, 2016.

Recovery is of 40-45 liters of fermented Mahua in
eight pits with jaggery solution in each of them and 10 liters of
mahua liquor.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. He
further submits that it appears from the FIR and the Seizure List
that nothing has been recovered from the conscious possession



of the petitioner. And as per allegation, the recovery has been made from the field of the petitioner. Learned counsel for the petitioner categorically stated that the field in question does not belong to the petitioner and the petitioner has no concern at all with the alleged recovery or the illicit liquor.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner has four criminal antecedents after the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond or Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Akbarpur P.S. Case No. 310 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. And further condition that the Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

sandeep/-

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

