

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54458 of 2021

Arising Out of PS. Case No.-171 Year-2021 Thana- JOKIHAT District- Araria

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MANOJ YADAV SON OF DOMAN LAL YADAV RESIDENT OF
VILLAGE- PATHARABARI, WARD NO 02, P.S- JOKIHAR, DIST-
ARARIA, BIHAR.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma
For the Opposite Party/s : Ms.Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 12.07.2021,
seeks regular bail in connection with Special Case No. 447 of
2021, arising out of Jokihat P.S. Case No. 171 of 2021 for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, in brief, is that altogether 80
litres of Eskuf Syrup was recovered from the vehicle bearing
registration No. WB-06G-0236.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that so far as the allegation made in the F.I.R. under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, the same is not applicable in the present case as the seized items are Cough Syrup. He further submits that nothing has been recovered from the possession of the petitioner.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.1,00,000/- (Rs. One Lakh) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge, Araria in connection with Special Case No. 447 of 2021, arising out of Jokihat P.S. Case No. 171 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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