

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54165 of 2021

Arising Out of PS. Case No.-11 Year-2021 Thana- CHOUTARWA District- West Champaran

MANTU YADAV @ MINTU YADAV Son of Ramakant Yadav @
Ramashankar Yadav Resident of Village - harpur, Bhujouna, P.S.- Nadi,
Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Ms.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-01-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Chautarwa
Bathwariya P.S. Case No. 11 of 2021 registered for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

There is recovery of 74.880 litres of illicit liquor.

Learned counsel for the petitioner submits that
petitioner has committed no offence and he has falsely been



implicated in the present case. It is further submitted that nothing incriminating article has been recovered from possession of the petitioner rather the recovery has been made from possession of co-accused persons. Name of the petitioner has been transpired on the basis of confessional statement of co-accused Pappu Kumar Keshri. Petitioner is in custody since 06.07.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries seven criminal antecedent.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Bettiah, West Champaran in connection with Chautarwa Bathwariya P.S. Case No. 11 of 2021, subject to 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)

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