

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46523 of 2022

Arising Out of PS. Case No.-563 Year-2019 Thana- AKBARPUR District- Nawada

Pappu Kumar, Son Of Shiyasharan Yadav @ Siyasharan Prasad R/O Village-
Mastanganj, P.S.- Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hansraj, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

In the present case, the petitioner seeks bail in
connection with Akbarpur P.S. Case No. 563 of 2019 registered
for the alleged offences under Sections 30(a) and 30(D) of the
Bihar Prohibition and Excise Act.

Allegedly, 500 litres of jaggery mixture kept in a
drum along with some equipment for manufacturing of liquor
apart from 100 litres of country made *chulai* liquor were
recovered from the east of Mastanganj village. The petitioner is
said to be involved and had escaped from the spot during raid.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The petitioner has not been apprehended from the spot. Nothing incriminating has been recovered from his possession. The petitioner has nothing to do with the alleged recovery or the place from the recovery is said to have been made. The charge sheet has been submitted in this case. The petitioner is in custody since 04.07.2022 and is having clean antecedent.

Learned A.P.P. opposes the prayer for bail.

Having regard to the submissions made on behalf of the petitioner and considering the fact that the petitioner has not been arrested from the spot and nothing incriminating has been recovered from his conscious possession and further considering the submission of charge sheet and the period of custody of the petitioner along with his clean antecedent, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-I-cum-Special Judge, Nawada, in connection with Akbarpur P.S. Case No. 563 of 2019, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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