

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57022 of 2021

Arising Out of PS. Case No.-269 Year-2020 Thana- BARH District- Patna

UDAY YADAV @ UDAY RAI Son of Late Bhunna Ray Resident of Village-
Pachhiyari Malahi, P.S.- Barh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 30-03-2022 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offences punishable under Section 30(a) of the
Bihar prohibition and Excise Act.

Informant, who is the police officer has alleged in
his FIR that he received a secret information that accused
Ramjaypal Yadav, Uday Yadav (Petitioner) and Shrawan Yadav
have kept illicit liquor in their newly constructed house and
from the house of the accused 221.265 litres of foreign liquor
was recovered and Chaukidar disclosed that said illicit liquor
belongs to accused Ramjaypal Yadav, Uday Yadav (Petitioner)
and Shrawan Yadav.

It has been submitted on behalf of the petitioner

that he is innocent and has been falsely implicated in this case. Nothing has been recovered from the possession of petitioner. Petitioner is in custody since 29.07.2021.

Considering the huge quantity of illicit liquor recovered from the house of petitioner and petitioner is having criminal antecedent as disclosed in para 3 of this petition, I am not inclined to grant bail to the petitioner at this stage. Accordingly the prayer for bail of the petitioner is rejected.

However, after one year of custody, petitioner may be enlarged on bail by the court below itself on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, in connection with Barh P.S. Case No. 269 of 2020 subject to the conditions that:-

(1) Both the bailors shall be the resident of territorial jurisdiction of the learned court-below.

(2) The petitioner shall fully cooperate with the investigation / trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(3) If the petitioner is found involved in similar nature of offences, after his release on

bail the trial court shall take steps to cancel his
bail bonds.

(S. Kumar, J)

Rajiv/veena-

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