

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58865 of 2021

Arising Out of PS. Case No.-367 Year-2020 Thana- NAUBATPUR District- Patna

Ravindra Yadav S/O Satyanand Yadav R/O Chak Chechaul, P.S-Naubatpur,
District-Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Usha Kumari Singh, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Naubatpur PS case no. 367 of 2020 instituted for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

The allegation is regarding recovery of 60 liters of
illicit countrymade mahua liquor from the house of the petitioner.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, has been falsely
implicated in the present case and is languishing in custody since
13.07.2021. The learned counsel for the petitioner has further
submitted that the seizure memo was pasted at the door of the
house of the petitioner but in fact, the petitioner is not living in the



said house in question. It is also submitted that only because of the bad antecedent of the petitioner, the petitioner has been falsely implicated in the present case, however it is submitted that in case, this Hon'ble Court imposes any appropriate condition for the purposes of grant of bail to the petitioner, the petitioner will not have any objection.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner was not present in the house in question, from where the illicit liquor was seized apart from the fact that the seizure list suffers from non-compliance of the provisions contained under Section 100 of the Code of Criminal Procedure, though I deem it fit and proper to admit the petitioner to the privilege of bail but subject to certain conditions.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Special Judge, Excise Act, Patna in connection with Naubatpur PS case no. 367 of 2020.

It is further directed that in case, the petitioner is made an accused henceforth in a similar type of case under the



provisions of the Bihar Prohibition and Excise Act, 2016, the present privilege of bail being extended to the petitioner shall stand cancelled forthwith and the petitioner shall be taken into custody.

(Mohit Kumar Shah, J)

rinkee/-

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

