

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49350 of 2022

Arising Out of PS. Case No.-126 Year-2022 Thana- GOH District- Aurangabad

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Mantu Lal Yadav @ Raghav Lal Yadav Son of Babu Chand Yadav @
Babuchan Singh Resident of Village - Maniyar Bigha, P.S.- Konch, District -
Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Adv.

For the Opposite Party/s : Mr. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Goah P.S. Case No. 126 of 2022 lodged under Section 30(a) of
the Bihar Prohibition and Excise (Amendment Act, 2018).

As per the prosecution case, total recovery of 125.28
liter wine is subject matter of the present case.

Learned counsel for the petitioner submits that the
said recovery has not been made from the possession of the
petitioner. He submits that as per the seizure list the recovery
has been made from the agricultural field. He further submits

that one accused namely Himanshu has given confessional statement due to which the petitioner's name has been figured in this case. Learned counsel submits that petitioner is in custody since 25.07.2022 having criminal case pending against him.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Court-2, Aurangabad in connection with Goah P.S. Case No. 126 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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