

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49654 of 2022

Arising Out of PS. Case No.-230 Year-2022 Thana- TEKARI District- Gaya

Yogendra Yadav @ Yogendra Kumar, Son of Dev Balak Yadav Resident of
Village - Malsari, P.O.- Laxmpur, P.s.- Tekari, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Singh, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey,APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 21-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Tekari P.S. Case No. 230 of 2022 registered for
the alleged offences under Section 30(a) of the Bihar Prohibition
and Excise Amendment Act, 2018.

As per prosecution case, police received secret
information about the petitioner unloading illicit liquor in large
quantity from a white colour Indigo car. A raid was conducted
but the petitioner fled away from the spot. On search of the
parked vehicle Indigo car, 88.125 liters of India made foreign
liquor was recovered.

Learned counsel for the petitioner submits that petitioner was not apprehended from the spot and nothing incriminating has been recovered from his person or possession. The petitioner has no concern with the Indigo car from which the recovery has been made, even the car was parked near a children park. Charge sheet has been submitted in this case and the petitioner is in custody since 03.06.2022. The petitioner has got no criminal history.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the submission of charge sheet along with period of custody of the petitioner and his clean antecedent, the petitioner above named 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 Exclusive Special Excise Court No. 2, Gaya in connection with Tekari P.S. Case No. 230 of 2022, 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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