

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50593 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- NADI NAINAHA District- West
Champaran

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Sanjay Yadav Son of Ramakant Yadav Resident of village - Puspanagar
Dasahwa, P.S.- Barwapatti, District - Kushinagar (UP).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Adv.

For the Opposite Party/s : Mr. Kanhaiya Kishore(App100)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 14-10-2022 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.

The petitioner seeks regular bail in connection with
Nadi P.S. Case No. 19 of 2022 lodged under Section 30(a) of
Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, the total recovery of
about 112 litres of wine was made from the Mujauna Reta.

Learned counsel for the petitioner submits that the
said recovery was made near Narayani river and not from the
possession of the petitioner. Learned counsel for the petitioner
further submits that petitioner is in custody since 30.06.2022 in

this case. There is one case pending against him in which he is on bail. He further submits that he is ready to fulfill all the conditions whatsoever shall be imposed upon him. He also submits that his name has figured in this case by virtue of secret information.

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 Spcl. Judge, Excise, Bagaha, West Champaran in connection with Nadi P.S. Case No. 19 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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