

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61774 of 2021

Arising Out of PS. Case No.-67 Year-2021 Thana- ARER District- Madhubani

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GULAB YADAV Son of Jagdeo Yadav Resident of Village- Rannak Tole,
P.S.- Arer, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-04-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Arer P.S.Case No. 67 of 2021 for the offences punishable
under Sections 272, 273, 467, 468, 471, 120 B of the Indian
Penal Code and section 30(a) Bihar Prohibition & Excise
Amendment Act 2018.

As per the prosecution case, it is alleged that on
secret information, police raided village Jarail Chimni Bhatta
from where one container and pick-up-van has been seized. It is
further alleged that on seeing the police party 15 to 16
miscreants succeeded to flee away. From both the vehicles



altogether total 4408.185 liters foreign made liquor, and 1200 liters beer was recovered.

It is submitted on behalf of the learned counsel for the petitioner that petitioner neither arrested on the spot nor he had any concern with the seized container and pick-up-van. It is next submitted that other co-accused persons having similar allegation, have been granted bail by this Hon'ble Court in Cr. Misc. No. 58175 of 2021 vide order dated 07.04.2022 and in Cr. Misc. No.59014 of 2021 vide order dated 11.04.2022 respectively. It is lastly submitted that this petitioner having no criminal antecedent and is in custody since 16.08.2021. Though investigation has already concluded and the charge sheet has submitted.

The learned A.P.P opposed the prayer for bail of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that petitioner was neither apprehended on the spot nor any incriminating material has been recovered from possession of the petitioner and moreover, other similarly, situated co-accused persons have been granted bail by this Court and this petitioner is in custody since 16.08.2021. let the petitioner, above named, be released on bail



on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Excise, Madhubani in connection with Arer P.S.Case No. 67 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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