

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53006 of 2022

Arising Out of PS. Case No.-25 Year-2022 Thana- MEHANDIGANJ District- Patna

Gorakh Yadav Son Of Harinarayan Gope @ Harinarayan Yadav R/O-
Ranipur, Rasulpur, P.S.- Mehandiganj, District- Patna

... Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-10-2022 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 through virtual mode.

The petitioner seeks regular bail in connection with
Mehandiganj P.S. Case No. 25 of 2022 lodged under Section
30(A) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

As per the prosecution case, total recovery of 14 liters
of *mahua desi* wine alleged to be made from the petitioner.

Learned counsel for the petitioner submits that
petitioner has not been apprehended from the place of
occurrence and his name has been figured by virtue of
confessional statement of independent witnesses of the seizure
list.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 01.08.2022 having 6 criminal cases pending against him and in which he is on bail in all 5 cases and pursuing for bail in one case.

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 Court- Exclusive Spl. Judge- Excise, Patna City in connection with Mehandiganj P.S. Case No. 25 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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