

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53398 of 2022

Arising Out of PS. Case No.-86 Year-2022 Thana- NAUTAN District- Siwan

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Sanni Yadav Son of Surendra Choudhary @ Surendra Yadav Resident of
Village - Tilmapur, P.S.- Nautan, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Kumari Anupam, Advocate

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-11-2022 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 Nautan P.S. Case No. 86 of 2022 registered for
the alleged offences under Section 30 (a) of the Bihar
Prohibition Act and Excise Act.

As per prosecution case, police received secret
information about the petitioner and other co-accused persons
bringing liquor on their motorcycles. The motorcycles were
intercepted but the petitioner and other co-accused persons ran
away from the spot. On search of the motorcycles, total 288
litres of country made liquor was recovered.



The learned counsel for the petitioner submits that the petitioner was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession. The motorcycle in question does not belong to this petitioner and he has nothing to do with the allegedly seized liquor. The petitioner is in custody since 05.05.2022 and charge-sheet has been submitted. The petitioner is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and further considering the facts that the petitioner was not apprehended from the spot and no recovery has been shown from him and further considering the clean antecedent of the petitioner along with the submission of charge-sheet and period of custody, 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 Additional District Judge-II, Siwan in connection with Nautan P.S. Case No. 86 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and 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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