

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63833 of 2021

Arising Out of PS. Case No.-63 Year-2021 Thana- HATHIDAH District- Patna

=====

YOGENDRA KUMAR @ JONY Son of Bhola Das Resident of Village-
Hathidah, Mahavir Chowk, P.S.- Hathidah, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Manish Dhari Singh, Advocate

For the Opposite Party/s : Mr.Sucheta Yadav, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 20-05-2022 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the

complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with

Special Case No. 5294 of 2021, arising out of Hatihad P.S. Case
No. 63 of 2021, for the offence punishable under Section 30(a)

of the Bihar Prohibition and Excise Act, 2016.

As per F.I.R., 119.025 litres of Indian Made Foreign

Liquor was recovered on the bank of river Ganga near Mahadev

Asthan.

The learned counsel for the petitioner submits that

nothing has been recovered from the conscious possession of

the petitioner. The petitioner was arrested on the basis of the



information given by the Spy from his residence. No recovery was made either from his house or from his personal possession. The petitioner is in custody since 28.08.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He further submits that trade of illicit liquor is rampant in the State of Bihar and often hooch tragedy is being occurred due to consumption of illicit liquor by the people at large and as such petitioner is involved in heinous crime and he does not deserve to be released on bail.

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 1,00,000/- (Rs. One lakh) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna in connection with Special Case No. 5294 of 2021, arising out of Hathidah P.S. Case No. 63 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

manish/-

U		T	
---	--	---	--

