

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64510 of 2021

Arising Out of PS. Case No.-419 Year-2021 Thana- AKBARPUR District- Nawada

Bablu Yadav @ Bablu Kumar (M) aged about 39 years, Son of Suresh Prasad Singh Resident of Village -Takanpura, P.S.- Bihar, District-Nalanda, At present Village-Hanumangarh, P.S.- Akbarpur, District-Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rakesh Kumar Singh, Adv.
For the State : Ms. Veena Rani Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-05-2022 Heard learned counsel for the petitioner and learned counsel for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

The petitioner seeks bail in *Akbarpur PS Case No. 419 of 2021*, instituted for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

5 liters illicit country made *Mahua* liquor has been recovered from co-accused *Karu Ravidas*, who has said that he supplies the same to the petitioner.

Petitioner's counsel submits that his name has been



planted in this case by the police through the co-accused because of his earlier implication in *Akbarpur PS Case No. 73* of 2020. He has remained in custody since 02-07-2021, though in the instant case, there is no recovery from the petitioner of any illicit substance. It is also stated that investigation is complete.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, period of custody and the fact that there is no recovery from the petitioner as also completion of investigation, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned *Additional District and Sessions Judge-II-cum- Special Judge, Excise, Nawada*, in connection with *Akbarpur PS Case No. 419* of 2021, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to



inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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