

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66109 of 2021**

Arising Out of PS. Case No.-243 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Nandu Kumar Son Of Rajo Yadav Resident Of Chandbali, P.S- Akbarpur,
Dist- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vishal Saurabh, Adv.

For the Opposite Party/s : Mr.Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-05-2022 Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four weeks.

The petitioner is in judicial custody in connection with Excise Case No.243/2021 registered under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

Allegation against him is that the police intercepted a vehicle. The petitioner who was driving the same came out of it and tried to flee away but was apprehended. On search 355.5 liters of illegal foreign whisky as well as countrymade liquor were recovered. The vehicle and the articles were seized and the petitioner was arrested.

The learned counsel for the petitioner submits that the police on suspicion arrested him, he was not driving the vehicle,



does not have criminal antecedent, is only 19 years old and has already been in jail since 10-09-2021 (as stated in para-12 of the bail application).

Considering the aforesaid facts that the charge sheet has been submitted and the petitioner is in jail since 10.09.2021 and considering his tender age, it would be appropriate that he is out of the jail and try to shape up his future in a better manner.

Let the petitioner be released on bail on furnishing bail bond of Rs.15,000/-(fifteen thousand) with two sureties of the like amount each in connection with Excise Case No.243/2021 to the satisfaction of learned Additional Sessions Judge, Ind-Cum-Special Judge of Excise Act, Gaya, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his



presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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