

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56113 of 2022**

Arising Out of PS. Case No.-223 Year-2022 Thana- KISHUNPUR District- Supaul

Rambilash Yadav S/o Sri Sukan Yadav, R/o Village- Sukhasan, Ward No.- 4,  
P.S.- Kishanpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amrit Abhijat, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP.

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

ORAL ORDER

2      18-11-2022                      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  
S.T. No.611 of 2022 arising out of Kishanpur P.S. Case No. 223  
of 2022, lodged under Section 30(a) of the Bihar Prohibition  
and Excise Act, 2016.

As per prosecution case, the total recovery of 1280.52  
liter of wine is the subject matter relating to the present case  
from the possession of other co-accused not from the possession  
of petitioner.

Learned counsel for the petitioner submits that  
petitioner is innocent and has committed no offence. He further

submits that name of petitioner has figured in this case by virtue of statement of the co-accused, from whose possession recovery has been made. He further submits that petitioner is in custody since 08.09.2022, charge sheet has already been filed in this case and there are 2 criminal cases pending against him, in which, in one case he was granted anticipatory bail and in another case, he is persuading for bail. Learned counsel also submits that petitioner is ready to fulfill all the conditions, whatsoever shall be imposed upon him by the Court.

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 Additional Sessions Judge-IV-cum-Special Judge, Excise, Court No.1, Supaul in connection with S.T. No. 611 of 2022 arising out of Kishanpur P.S. Case No. 223 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 an 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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