

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69689 of 2021

Arising Out of PS. Case No.-166 Year-2021 Thana- MAHARAJGANJ District- Siwan

Sanjay Yadav @ Sanjay Kumar Yadav, S/o Nema Yadav @ Nema Ray R/o
village- Mustafabad, P.S.- Goreakothi, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad, Adv.

For the Opposite Party/s : Mr.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-05-2022 Heard Mr. Raghav Prasad learned counsel for the
petitioner and the learned APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Mahrajganj P.S. Case No.166 of 2021 instituted under
Section 414/34 of the Indian Penal Code and 30(a), 36, 41(1) of
the Bihar Prohibition and Excise Act.

As per the FIR, the police upon information that
foreign liquor is being unloaded from a truck visited the said
place and found that in a potato truck 144 liters of foreign liquor
was placed in between. The same was recovered/seized.
However, the accused persons in the garb of darkness was
successful in escaping. The name of the petitioner along with
Munna Choudhary was mentioned and accordingly they came in



the judicial net.

Learned counsel for the petitioner submits that the co-accused Munna Choudhary has since been granted bail by a co-ordinate Bench of this Court vide Cr. Misc. No.48694/2021 on 13.01.2022.

Let the order dated 13.01.2022 passed in Cr. Misc. No.48694/2021 be kept on record.

Considering the aforesaid fact that the petitioner is in custody since 01.11.2021 (as stated in para-13 of the bail application), charge sheet has been submitted and one of the co-accused has been granted bail by a co-ordinate Bench of this Court, this Court is inclined to grant him privilege of bail with the terms and conditions as set out herein below.

Let the petitioner be released on bail on furnishing bail bond of Rs.50,000/-(Rupees Fifty Thousand) with two sureties of the like amount each in connection with Mahrajganj P.S. Case No.166 of 2021 to the satisfaction of learned Additional Sessions Judge, IInd -cum-Special Judge, Excise, Siwan, 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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