

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69583 of 2021

Arising Out of PS. Case No.-154 Year-2017 Thana- MAHARAJGANJ District- Siwan

Santosh Yadav, Son of Lakshman Yadav Resident of Village - Batardeh, P.S.-
Baruli, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumari Anupam, Adv.

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-05-2022 Heard Mrs. Kumari Anupam, 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.154/2017 instituted under
Sections 272, 273, 308, 420, 414/34 of the Indian Penal Code
and 30(a), 41(i) of the Bihar Prohibition and Excise Act.

As per the prosecution story, the police upon secret
information, raided a place. Although some of the accused
persons were able to escape, three of them were apprehended
and altogether 2017.14 liters of wine was recovered.

Learned counsel for the petitioner submits that he
does not own the vehicle in question nor was arrested from the
spot and was named by those arrested from the spot and as such



he is in jail since 23.11.2021 (as stated in para-10 of the bail application). She lastly submits that the other accused persons have been granted the privilege of bail which she has annexed as Annexure-2 Series.

Considering the aforesaid facts that the petitioner is in jail since 23.11.2021, charge sheet stands submitted and the other co-accuseds have been released on bail; this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.20,000/-(twenty thousand) with two sureties of the like amount each in connection with Mahrajganj P.S. Case No.154/2017 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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