

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58494 of 2022

Arising Out of PS. Case No.-136 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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Nagindra Yadav, Son of Late Bhikhari Yadav, R/V- Shyampur Kotraha, P.s-
nautan, Dist- West champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 25-11-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Excise P.S. Case No. 136 of 2022 registered for
the alleged offences under Section 30(a) of the Bihar Prohibition
and Excise Act.

As per prosecution case, police received secret
information about illicit trade of liquor at a certain place. A raid
was conducted at the identified place and the petitioner was
apprehended. On search of place of occurrence 179.28 litres of
India made foreign liquor was recovered.



The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from his conscious possession. The said recovery has been made from the bush and the petitioner has no concern with the allegedly recovered illicit liquor. Petitioner has never indulged in illicit trade of liquor. The petitioner is in custody since 05.07.2022 and the prosecution report has been submitted in this case. The petitioner is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner along with his period of custody and submission of prosecution report, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, West Champaran, Bettiah in connection with Excise P.S. Case No. 136 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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