

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71163 of 2021

Arising Out of PS. Case No.-164 Year-2021 Thana- NAUTAN District- West Champaran

Dhurendra Yadav S/o Asesher Yadav R/o village- Madhuaha, P.S.- Nautan,
District- West Champaran (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Digvijay Kumar Ojha, Advocate
For the Opposite Party/s : Mrs.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-05-2022 Heard Mr. Digvijay Kumar Ojha, learned counsel for
the petitioner and Mrs. Asha Devi, the learned APP for the State.

The petitioner is in judicial custody in connection
with Nautan P.S. Case No. 164 of 2021 registered under sections
30/30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution story, the informant along with
police party was patrolling the area and upon information when
they reached at the particular place, they saw two persons are
approaching on motorcycle from the opposite direction. Upon
seeing the police, they successfully fled away. Later those who
assembled there disclosed their names as Mukesh Kumar and
Dhurendra Yadav (the petitioner herein) and in presence of
witnesses 39.240 liters of liquor and one black colour
motorcycle were recovered/seized. It is in this way the FIR was



instituted and the petitioner came into the judicial custody on 19.6.2021.

Considering the fact that the petitioner is in jail since 19.6.2021 and charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail. However, since he has criminal antecedent, certain conditions are necessary to be imposed.

Let the petitioner be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran, in connection with Nautan P.S. Case No. 164 of 2021 subject to the following conditions:-

(i) one of the bailors should be the family members 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 his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight 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 take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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