

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72278 of 2021**

Arising Out of PS. Case No.-133 Year-2020 Thana- DANDARI District- Begusarai

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LALO YADAV @ LALO KUMAR @ LALU KUMAR S/o Sattan Yadav R/o
village- Pratarpur, P.S.- Dandari, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Chandra, Adv

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 11-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Dandari P.S. Case No.133 of 2020, registered for the offence under Sections 272 and 273 of IPC and Section 30(a) of Bihar Prohibition and Excise Act, 2018.

Recovery is of 100 liters of country made liquor.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case only on the basis of suspicion. He further submits that nothing has been recovered from the conscious possession of the



petitioner rather the recovery has been made from the field of one Kapildeo Singh and the petitioner was not arrested on the spot. He further submits that the police, after investigation, submitted chargesheet against the petitioner and other co-accused persons. He further submits that co-accused, namely, Mithu Kumar @ Mithu Yadav and Satan Yadav have been granted bail vide order dated 09.08.2021 in Cr. Misc. No.28725 of 2021, co-accused, namely, Vijay Yadav and Dharo Yadav have been granted bail vide order dated 13.08.2021 in Cr. Misc. No. 30093 of 2021 by different Coordinate Benches of this Hon'ble Court and co-accused namely, Sulo Yadav has also been granted bail by this Hon'ble Court vide order dated 08.03.2022 in Cr. Misc. No.66245 of 2021 and the petitioner is in custody since 21.10.2021

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Begusarai in



connection with Dandari P.S. Case No.133 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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