

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1288 of 2022

Arising Out of PS. Case No.-566 Year-2021 Thana- TEKARI District- Gaya

NAWAL YADAV Son of Late Ramdev Yadav Resident of Village - Jagdhar,
Police Station - Tekari, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-02-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

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

Petitioner, who is in custody since 04.11.2021, seeks
regular bail in connection with Tekari P.S. Case No. 566 of 2021
registered for offences punishable under Sections 30(a) of the
Bihar Prohibition and Excise Amendment Act, 2018.

Prosecution case, in brief, is that altogether 50 litres
of Mahua liquor was recovered from the seized motorcycle
which was having no number plate however, from the seizure
list it appears that the chassis No. of the said Hero Splendor
motorcycle is MBLHARO7XHFF333. Petitioner was not



apprehended at the place of seizure.

Learned counsel appearing on behalf of the petitioner submits that nothing has been recovered from the conscious possession of the petitioner rather his name has been disclosed by one co-accused Chintu Kumar who is of another village. Petitioner is in custody since 04.11.20021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case as well as the period of custody of the petitioner, the Court below is directed to release the petitioner above named on bail upon furnishing bail bond of Rs. 1,00,000/- (Rupees One Lac) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge of Excise Act, Gaya in connection with Tekari P.S. Case No. 566 of 2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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