

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11947 of 2023

Arising Out of PS. Case No.-931 Year-2022 Thana- FATUA District- Patna

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Lilluh Yadav @ Ajay Singh S/O Baleshwar Singh @ Ram Besar Singh R/o-
Gauripunda Narayan Tola, P.S.- Fatuha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Nityanand Kumar, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 02-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Fatuha
P.S. Case No. 931 of 2022 dated 19.12.2022 registered for the
offences punishable under Sections 30(a) and 37(2) of Bihar
Prohibition and Excise Act.
3. The matter is not in today's list and the same is taken up
today in view of the mentioning made by the petitioner's
counsel on the ground of petitioner's nephew's marriage.
4. The main submissions advanced by learned counsel for
petitioner are that as per prosecution's allegation 60 litres of
country made mahua wine is stated to have been recovered from
a *tempo* and petitioner is stated to be found in the said *tempo* in
the capacity of a driver, infact the petitioner was bonafidely
driving the said *tempo* and one passenger was also present in the

said *tempo* when the police searched the tempo and the petitioner had no connection with the seized wine and he has been languishing in jail since 19.12.2022 and against him the investigation has been completed. Further submission is that against the petitioner there is criminal antecedent of one case in which he is on bail.

5. Learned APP for the State has opposed the bail prayer of the petitioner.

6. Considering the above submissions and mainly the petitioner's custody period and completion of investigation against him, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Fatuha P.S. Case No. 931 of 2022 **on the condition that the trial Court will verify the petitioner's plea as to marriage ceremony of his nephew with the help of the concerned police station, if the said plea is found not correct then the trial Court will take serious action against him by cancelling his bail bond.**

(Shailendra Singh, J)

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