

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24613 of 2023

Arising Out of PS. Case No.-57 Year-2023 Thana- HISUWA District- Nawada

VIDYA PRASAD @ VIDYNAND PRASAD @ VIDHYA PRASAD SON
OF LATE PRASADI YADAV RESIDENT OF VILLAGE- KENDUA, PS-
HISUA, DISTT- NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 04-05-2023

This case has been listed out of turn at the instance of the learned counsel for the petitioner through a mentioning slip on the ground of marriage of the daughter of the petitioner on 15.05.2023. The xerox copy of wedding card/invitation card has been annexed with the mentioning slip at flag-A. A supplementary affidavit has also been filed by the son of the petitioner in support thereof.

Heard the learned counsel for the petitioner and learned APP for the State.

This is an application for regular bail on behalf of the petitioner for the offences alleged under Section 30(a)/41 of the Bihar Prohibition and Excise Act in connection with Hisua P.S.Case No. 57 of 2023.



The learned counsel for the petitioner has submitted that the petitioner is in custody since 13.03.2023 for the allegation that five litres of liquor was recovered from his motor-cycle.

The learned APP has opposed the prayer for bail.

Considering the nature of allegation and period of custody, 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 Exclusive Special Excise Judge-I, Nawada in connection with Hisua P.S.Case No. 57 of 2023, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
2. If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.
- 3. The learned court below shall verify the**



criminal antecedent of the petitioner after accepting the bail bond.

4. If the petitioner is found involved in any other case, other than the case mentioned in paragraph no.3 of the bail petition, the learned court below shall be liberty to cancel his bail bond.

The Superintendent of Police, Nawada is directed to inquire into the matter regarding authenticity/veracity of the marriage of the daughter of the petitioner to be performed on 15.05.2023 and report to this Court within two weeks.

Office is directed to issue a letter to the Superintendent of Police, Nawada, annexing the xerox copy of the invitation card/wedding card of the marriage of the daughter of the petitioner to be performed on 15.05.2023.

List the matter after two weeks.

(Nawneet Kumar Pandey, J)

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