

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50407 of 2023

Arising Out of PS. Case No.-129 Year-2022 Thana- RAGHUNATHPUR District- Siwan

INDRAJEET YADAV SON OF RAJDHAN YADAV RESIDENT OF
VILLAGE- RAGHUNATHPUR, P.S.- RAGHUNATHPUR, DISTT.- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumari Anupam, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-08-2023 Heard the parties.

The petitioner is an accused in connection with Raghunathpur P.S. Case No. 129 of 2022 registered for the offences under section 30(a) of the Bihar Prohibition and Excise Act lodged on 22.06.2022 by the informant, Prabhakar Prasad Singh.

As per the prosecution story, upon information, the police intercepted two motorcycles and found bag attached to the motorcycle. Upon search, 88 litres '*mahua*' liquor was/were recovered/seized followed by the FIR.

It is the case of the learned Counsel for the petitioner that the motorcycle does not belong to the petitioner and he has been apprehended only because of having criminal antecedents and further are ready to abide by all the terms and conditions.



Learned APP for the State, on the other hand, opposes the prayer for bail.

Considering the submissions put forward by the learned Counsel for the petitioner as also that he is in custody since 20.05.2023 (as stated in paragraph 12 of the bail application), the motorcycle does not belong to him, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned Court of Exclusive Special Excise Court No. 2, Siwan in connection with Raghunathpur P.S. Case No. 129 of 2022, subject to the following conditions-:

(i) one of the bailor should be the family member 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 reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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