

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 50770 of 2023

Arising Out of PS. Case No.-477 Year-2021 Thana- MASAUDHI District- Patna

=====

RANDHIR YADAV @ RANDHIR KUMAR Son of Late Shastri Yadav @
Lal Bahadur Yadav Resident of village - Sukathiya, P.S - Masaurhi, Distt. -
Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Barun Prasad, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-08-2023 Heard the parties.

The petitioner is in custody in connection with Special Case No. 5640 of 2021 arising out of Masaurhi P.S. Case No. 477 of 2021 for the offence under sections 328 of IPC and 30(a) and 30(c) of Bihar Prohibition and Excise Act, 2018 lodged on 07.09.2021 by the informant, Manoj Kumar Singh.

As per the prosecution story, the Police reached near Sukathiya village and recovered country made wine totalling 150 liters beside 11,000/- liters in 55 drums which were seized/destroyed. Accordingly, the F.I.R.

It is the case of the petitioner that he has been falsely implicated in this case, was working in the agricultural field,



implicated and has suffered by being in custody since 07.06.2023 (as stated in paragraph 8 of the petition).

Learned APP opposes the prayer for bail stating that there is huge recovery.

Considering the fact that although the Police submits that there is a recovery, it also alleges that the same has been destroyed, is in custody since 07.06.2023 and ultimately will have to face the trial, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Special Judge, Excise at Patna, in connection with Special Case No. 5640 of 2021 arising out of Masaurhi P.S. Case No. 477 of 2021 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 bail bond by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his 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 the 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 his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

kiran/-

U		T	
---	--	---	--

