

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54710 of 2022**

Arising Out of PS. Case No.-530 Year-2022 Thana- ALAMGANJ District- Patna

Manish Kumar Yadav, aged about 35 years, male, S/O Late Jagdish Yadav  
Resident of Pathari, Ghat, Devi Sthan, P.S.- Alamganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raj Krishna Jha, Adv.

For the Opposite Party/s : Ms Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      10-01-2023      Heard learned counsel for the petitioner and the learned  
APP for the State.

The petitioner seeks bail in connection with Alamganj PS  
Case No. 530 of 2022, registered for the offence punishable under  
Sections 30(a) and 36 of the Bihar Prohibition and Excise Act, 2018.

There is alleged recovery of 50 litres of illicit liquor.

Learned counsel for the petitioner submits that the seizure  
memo shows the place of recovery being an alley in front of the  
petitioner's house. The submission is that from the seizure memo, it  
is apparent that recovery is from an open place accessible to one and  
all. Petitioner's implication is on account of his antecedents in four  
cases, as per disclosure made in para-3 of the bail petition. He is  
stated to be in custody since 16-07-2022.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, the manner of alleged



recovery and period of custody, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. 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 the learned Special Judge (Excise Act) Patna City, Patna in connection with Alamganj PS Case No. 530 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

**(Madhuresh Prasad, J)**

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