

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60711 of 2022

Arising Out of PS. Case No.-399 Year-2021 Thana- MASAUDHI District- Patna

Jodha Yadav @ Ayodhya Yadav @ Ram Ayodhya Yadav, aged about 54 years,
Son of Late Indradeo Yadav Resident of Village- Kewata P.S.- Masaurhi,
District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Raj Kumar, Adv.

For the State : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-01-2023 This matter has been taken up today for consideration through
video conferencing.

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

The petitioner seeks bail in connection with Masaurhi PS Case
No.399 of 2021, registered for the offence punishable under Sections
30(a) and 30(c) of the Bihar Prohibition and Excise Amendment Act,
2018.

There is recovery of 250 liters of illicit country made liquor
and materials used for manufacturing of the same.

Learned counsel for the petitioner submits that he is man of
clean antecedents and he was neither arrested at the place from where
the recovery has been recovered nor is there any recovery of illicit
liquor from him. He has been in custody since 13-04-2022 and other
similarly situation co-accused has been allowed bail in Cr Misc No
9112 of 2022.



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

Considering the rival submissions, 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, in connection with Masaurhi P. S. Case No. 399 of 2021, 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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