

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62155 of 2023**

Arising Out of PS. Case No.-192 Year-2023 Thana- KRITYANAND NAGAR District-
Purnia

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Pappu Yadav @ Pappu Kumar Yadav Son Of Rajendra Yadav Resident Of
Rikabganj Ward No.9, P.S. - K. Nagar, District - Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 26-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
12.07.2023 in connection with K. Nagar P.S. Case No. 192 of
2023, F.I.R. dated 29.03.2023 for the offences punishable under
Sections 30(a) of the Bihar Prohibition and Excise Act.

3. According to prosecution case, there has been
recovery of 90.750 liters of foreign liquor. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case merely on the basis of suspicion.
He further submits that from perusal of the FIR and seizure list
that nothing has been recovered from the conscious possession
of the petitioner or the house of the petitioner, rather recovery



has been made from the bush near the house of the petitioner and the petitioner has no concern at all with the alleged recovery of the liquor. The petitioner is in custody since 12.07.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 Exclusive Special Judge (Excise-1), Purnea in connection with K. Nagar P.S. Case No. 192 of 2023, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Prakash Narayan

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