

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61133 of 2022

Arising Out of PS. Case No.-151 Year-2021 Thana- RANIYATALAB District- Patna

Sita Ram Yadav @ Baba @ S.T.R Son of Late Triveni Rai Resident of-
Kodarkala, Motipur, P.S.- Motipur, District- Muzffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Adv

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-01-2023 Today being Friday, matters are being taken up through virtual mode, as per current procedure for hearing.

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

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

Petitioner seeks bail in connection with Special Excise Case No. 4966/2021 arising out of Rani Talab P.S. Case No. 151 of 2021 registered under Sections 467, 468, 420/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition & Excise Amendment Act, 2018.

8200 litres spirit has been recovered from the truck in question. The petitioner's name has been stated by one co-accused Jai Kishore Rai that he has purchased the spirit from the petitioner.

Learned counsel for the petitioner submits that he is implicated in this case on account of his several criminal antecedents of similar



nature, though he has no concern with the truck. He was neither arrested at the spot from where recovery was made nor there is any recovery from his possession. He is in custody since 12.07.2022. He is on bail in some of the cases pending against him,.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submission 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 bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Special Excise Judge, Danapur, Patna in Special Excise Case No. 4966/2021 arising out of Rani Talab P.S. Case No. 151 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.

(Madhuresh Prasad, J)

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