

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61667 of 2022

Arising Out of PS. Case No.-114 Year-2022 Thana- JOGBANI District- Araria

RAM LAL YADAV @ RAMA YADAV @ LUNGI, SON OF LATE
RAJESHWAR YADAV, R/O VILLAGE- TIKULIYA, WARD NO. 10, P.S.-
JOGBANI, DISTRICT- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Pronoti 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 the learned
APP for the State.

The petitioner seeks bail in connection with Jogbani P.S.
Case No. 114 of 2022 registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Amendment Act,
2016.

The prosecution case alleges that two persons moving on a
motorcycle have abandoned a bag, from where 160 bottles of cough
syrup has been recovered containing total 16 liters of cough syrup.
The petitioner has been identified as being the person who fled away.

Learned counsel for the petitioner submits that petitioner's
implication is only based on his antecedents, 6 in number. The details
of antecedents have been specified in paragraph 3 of the bail petition.



There is no recovery from the petitioner's possession. He is in custody since 29.04.2022. In the six cases pending against him since before, the petitioner is already on bail.

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 Exclusive Special Judge Excise-II, Araria, in connection with Jogbani P. S. Case No. 114 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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