

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62260 of 2022

Arising Out of PS. Case No.-120 Year-2022 Thana- ARER District- Madhubani

Manish Yadav, Son of Arjun Yadav, R/V- Sinuwar, P.S- Arer, Dist- Madhubani
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Adv

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 20-01-2023 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 Arer P.S. Case No. 120 of 2022, corresponding to G.R. No. 1595 of 2022 registered under Sections 272, 273 and 414 of the Indian Penal Code and Sections 30(a) and 37 of Bihar Prohibition and Excise Amendment Act, 2018.

169.8 litres illicit liquor has been recovered. It is alleged that the petitioner was fleeing away from the motorcycle and he has been arrested.

Recovery is denied and disputed by learned counsel for the petitioner. It is submitted that recovery is not in accordance with law.



His implication in this case is due to his antecedents, two in number, as per para 3 of the supplementary affidavit. Petitioner has remained in custody since 05.09.2022.

Learned APP has opposed the prayer for bail.

Having regard to the manner of recovery, the submissions advanced by the parties, the period of custody and the fact that investigation is complete, this Court is inclined to allow the petitioner's prayer for bail. 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 Additional Sessions Judge 2nd cum Special Judge, Excise Act, Madhubani in Arer P.S. Case No. 120 of 2022, corresponding to G.R. No. 1595 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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