

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66358 of 2022**

Arising Out of PS. Case No.-186 Year-2019 Thana- JAYNAGAR District- Madhubani

Sohan Yadav @ Sohan Kumar Yadav, S/o Bisheshwar Yadav, R/v-
Chhapradhi, P.S.- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Rajesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

3 10-02-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Jainagar P.S. Case No.186 of 2019 registered for the offence punishable under Sections 414, 120B, 272, 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Some persons have allegedly fled away on seeing the police party. One co-accused Amit Kumar was arrested. Arrested person has stated that liquor was being brought for the petitioner. There is alleged recovery of 84 litres of illicit liquor.

The learned counsel for the petitioner submits that apart from the statement of the co-accused recorded in custody, there is no material whatsoever to connect the petitioner with the alleged recovery. His implication is based only on his antecedents and suspicion arising therefrom. He has been in custody in connection with this case since 20.09.2022, though there is no recovery attributed to the petitioner by the



prosecution. Investigation is complete.

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

Having regard to the manner of recovery, submissions advanced by the parties, period of custody, as also the fact that investigation is complete, 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.

Accordingly, 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, in connection with Jainagar P.S. Case No.186 of 2019 (G.R. No.716 of 2019) 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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