

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65188 of 2022

Arising Out of PS. Case No.-277 Year-2022 Thana- KOCHAS District- Rohtas

Mantu Yadav, S/o Ram Pravesh Singh, R/o Village- Chakarhima, P.S.-
Gourichak, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr.Ajay Kumar No.2, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 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 the
learned APP for the State.

The petitioner seeks bail in connection with Kochas
P.S. Case No.277 of 2022 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The petitioner is in custody since 24.08.2022 on
alleged recovery of 66 litres of illicit liquor from his scooty
while he was driving the same.

Learned counsel for the petitioner submits that it is a
false case and that no occurrence as alleged ever took place.
Recovery is denied and disputed. The recovery is not supported



by any seizure memo prepared in accordance with law. The petitioner has one antecedent in which he is on bail.

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, and 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 Exclusive Special Excise Court No.II-cum Additional District & Sessions Judge, Rohtas at Sasaram, in connection with Kochas P.S. Case No.277 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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