

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68493 of 2022

Arising Out of PS. Case No.-182 Year-2022 Thana- SAHARGHAT District- Madhubani

Sonu Kumar @ Ajit Yadav S/o Sifat Yadav @ Shripat Yadav R/v- Kamtaul,
Pachgachhiya, P.S.- Harlakhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, with Mr. Ravi Prakash, Advts.
For the Opposite Party/s	:	Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Saharghat PS Case No. 182 of 2022, dated 5-10-2022, GR No. 1866 of 2022 registered for the offence punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

There is alleged recovery of 90 liters *Nepali* country made illicit liquor from the petitioner when he reached the place on his motorcycle which was stopped by the police.

Learned counsel for the petitioner submits that no such recovery has taken place. The petitioner has no concern with the motorcycle and has been implicated for the recovery, which, actually, has been made elsewhere, because of his antecedents. It is submitted that investigation is complete.

The petitioner is in custody since 6-10-2022.

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



Considering the rival submissions, manner of petitioner's implication, 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.

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 Saharghat PS Case No. 182 of 2022, dated 05-10-2022, GR No. 1866 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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