

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75565 of 2023

Arising Out of PS. Case No.-117 Year-2023 Thana- PIRI BAZAR District- Lakhisarai

ANIL YADAV S/O LATE RAMU YADAV RESIDENT OF VILLAGE-
LAHSORBA, P.S.- PIRI BAZAR, DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 28-11-2023 Learned Counsel for the petitioner is permitted to
make necessary correction in paragraph 4 of the bail petition.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Piri
Bazar P.S. Case No. 117/2023 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act.

As per prosecution case, it is alleged that the
petitioner was apprehended on the spot along with one bag
containing 10 litres country made Mahua Wine.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence as alleged



in the FIR and he has falsely been implicated in this case. It is further submitted that he is in custody since 16.08.2023. Petitioner bears criminal antecedent of three cases in which he is on bail. It is further submitted that petitioner has no concern with the alleged liquor. He has been made accused on account of previous criminal antecedent. It is further submitted that Seizure list has not been made as per law. No incriminating article has been recovered from conscious possession of the petitioner.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge IVth-cum-Exclusive Special Judge, Excise Act, I, Lakhisarai in connection with Piri Bazar P.S. Case No. 117/2023, subject to the following conditions:-



(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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