

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69151 of 2024

Arising Out of PS. Case No.-193 Year-2024 Thana- BELA District- Sitamarhi

Sanjay Yadav S/o Late Mahavir Ray Resident of Village- Madhiya Tetariya,
PS- Sonbarsa, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Umanath Mishra

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 07-10-2024 At the outset, learned counsel for the petitioner has submitted that as a matter of fact, the petitioner has got clean antecedent but mistakenly, at paragraph-3 of the petition, it has wrongly been mentioned that the petitioner is involved in Sitamarhi Excise P.S. Case No. 1141 of 2023.

2. In the said circumstances, learned counsel for the petitioner is permitted to make necessary correction at paragraph-3 of the petition, in course of the day.

3. Heard learned counsel for the petitioner and learned APP for the State.

4. The petitioner seeks bail in Bela P.S. Case No. 193 of 2024 registered under Section-30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.



5. As per prosecution, 864 litres of illicit liquor was recovered from a tempo and a Scorpio and the petitioner was apprehended on the spot itself.

6. Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case. As a matter of fact, the petitioner being a poor person resides in Nepal to earn his livelihood but the police without verifying the real fact, implicated the petitioner in the present case. Nothing has been recovered from conscious possession of the petitioner. It has also been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and he is in custody since 05-06-2024.

7. On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

8. Considering the aforesaid facts and circumstances, specially the fact that the petitioner has got no criminal antecedent, 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 the learned Exclusive Special Judge-I, Sitamarhi in connection with Bela P.S. Case No. 193 of 2024 subject to the following conditions:



(i) The petitioner shall cooperate with the trial and make himself available as and when required by the court.

(ii) **Before accepting the bail bonds, the criminal antecedent of the petitioner shall be verified and if, it is found that he is involved in any case other than the present one, his bail bonds shall not be accepted.**

(Nawneet Kumar Pandey, J)

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