

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81149 of 2024

Arising Out of PS. Case No.-487 Year-2022 Thana- HISUWA District- Nawada

Arvind Yadav @ Bablu Yadav Son of Late Kishori Yadav R/o village- Bariyo,
Ps- Nardiganj, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Ranjan, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-11-2024 Heard Mr.Amit Ranjan, learned counsel for the

petitioner and Mr.Kumar Ranjit Ranjan, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
16.09.2024 in connection with Hisua P.S. Case No. 487 of
2022, F.I.R. dated 18.08.2022 registered for the offence
punishable under Sections 30(a),41 of Bihar Prohibition and
Excise Act, 2018.

3. Recovery is of 175 liters of country made liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has
falsely been implicated in the present case on the basis of
information furnished by the local Chaukidar. Further submits
that it appears from the FIR that nothing has been recovered



from conscious possession of the petitioner and he has been made accused in the present case on the basis of disclosure made by the local Chaukidar and except the aforesaid, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 16.09.2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent and the name of the petitioner has been transpired on the basis of information furnished by the local Chaukidar, 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 learned Exclusive Special Excise Court-I, Nawada in connection with Hisua P.S. Case No. 487 of 2022, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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