

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78562 of 2024

Arising Out of PS. Case No.-227 Year-2024 Thana- ROH District- Nawada

Vijay Yadav Son of Saukhi Yadav Resident of Village- Bhatta, P.S.- Roh,
District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate
For the State : Mrs. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-11-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Roh P.S. Case No. 227 of 2024 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 28.07.2024 by the informant, Gulab Chand Mandal.

3. As per the prosecution story, the police upon secret information intercepted a motorcycle and there is recovery/seizure of 60 liters of illegal liquor, this led to the F.I.R, arrest.

4. Learned counsel for the petitioner made categorical submission that he does not own the motorcycle, only because of criminal antecedent, implicated, is in custody since 20.08.2024 (paragraph no.13 of the petition).

5. Learned APP for the State opposes the prayer



submitting that he has criminal antecedent.

6. Taking into account the aforesaid facts as also the submission of the learned counsel for the petitioner that he does not own the motorcycle, is in custody since 20.08.2024, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Court, Excise-2, Nawada in connection with Roh P.S. Case No. 227 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;

(iv) the petitioner shall in now way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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