

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80124 of 2024

Arising Out of PS. Case No.-201 Year-2024 Thana- RAHIKA District- Madhubani

Rudal Yadav @ Rahul Yadav S/O Punilal Yadav Resident of village -
Dubiyahi , P.S.- Rahika, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash,
Mr. Gagan Deo Yadav,
Mr. Vinod Kumar, Advocates.
For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-11-2024 Heard Mr. Vijay Kumar, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection
with Rahika P.S. Case No. 201 of 2024 for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act, lodged on 18.09.2024 by the informant, Sandip
Kumar Singh.

3. As per the prosecution story, the informant alleged
that during the patrolling duty, an information came about
movement of liquor, found some people trying to escape on
motorcycle, one of them was apprehended and there is
recovery/seizure of 121.5 litres of Nepal liquor. Accordingly, the
FIR.



4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession, he is in custody since 21.09.2024 (para-15 of the petition) and only because of criminal antecedent, implicated.

5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Considering the submissions put forward by the parties as also the fact that nothing has been recovered from his conscious possession, has remained in custody since 21.09.2024, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, 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 Excise Court No.3, Gaya in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member 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 and 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 month for next one year to mark his attendance;

(iv) the petitioner shall in no 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 his bail bonds.

(Rajiv Roy, J)

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