

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79454 of 2024

Arising Out of PS. Case No.-305 Year-2024 Thana- DURGAWATI District- Kaimur (Bhabua)

Sunny Yadav Sunil Yadav @ Pappu Yadav R/O Vill.- Naraulli, P.S-
Durgawati, District Kaimur at Bhabhua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aquaib Khan, Adv.

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-11-2024 Heard Mr. Aquaib Khan, learned counsel for the
petitioner and Mr. Kumar Uday Pratap, learned APP.

2. The petitioner is in custody in connection with
Durgawati P.S. Case No. 305 of 2024 for the offence punishable
under sections 30(a) of the Bihar Prohibition and Excise Act
2022 lodged on 02.10.2024 by the informant, Ranjay Kumar.

3. As per the prosecution story, the informant alleged
that upon information, it reached the place, found a person
standing near a motorcycle who tried to escape, was arrested.
He was the petitioner and gave the other person who escaped as
Bagad and Sonu Kumar. Further, 180 liter country made liquor
recovered, which led to the FIR.

4. Learned counsel for the petitioner submits that he
has no role to play in the matter, was irrigating his field but was
arrested only because of criminal antecedent and has already



suffered by being in custody since 03.10.2024 (para 11 of the petition).

5. Learned APP, Dr. Kumar Uday Pratap opposes the prayer for bail submitting that he was apprehended along with the liquor.

6. Taking into account the submissions put forward by the parties as also the fact that the same has not been recovered from his conscious possession, he is in custody since 03.10.2024, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Special Judge, Excise-Ii, Kaimur at Bhabhua in connection with Durgawati P.S. Case No. 305 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/her 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 fortnight for six months 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)

Vijay Singh/-

U		T	
---	--	---	--

