

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82168 of 2024

Arising Out of PS. Case No.-181 Year-2024 Thana- BHAGWANGANJ District- Patna

Pappu Yadav @ Pappu Kumar Son of Sudeshwar Yadav Resident of Village -
Pansari, P.S. - Bhagwanganj, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-11-2024 Heard the parties.

2. The petitioner is in custody in connection with Bhagwanganj P.S. Case No. 181 of 2024 for the offence punishable under section 30(A) of the Bihar Prohibition and Excise Act lodged on 01.10.2024 by the informant, Navneet Kumar.

3. As per the prosecution story, the Police on secret information, raided the place and there is recovery/seizure of 60 liters *mahua* as also manufacturing items which led to the FIR. The locals gave the name of the persons escaped, petitioner being one of them.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession and only because of his criminal antecedent and enmity, the locals



gave his name for which he has already remained in custody since 26.10.2024 (paragraph-4 of the petition).

5. Learned APP opposes the prayer for bail.

6. Taking into account the submissions as also the fact that the recovery/seizure is from an open place and not from his conscious possession, FIR lodged and he shall be facing the trial, 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, Patna, in connection with Bhagwanganj P.S. Case No. 181 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 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)

Adnan/-

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