

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24846 of 2025

Arising Out of PS. Case No.-16 Year-2005 Thana- TURKAULIYA District- East Champaran

Yugul Rai @ Yugul Yadav @ Yugul Ray @ Yugal Yadav S/o Late Singhasan
Ray R/o Vill.- Majhar, P.S.- Banjariya, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Trial
No. 1374 of 2017 arising out of Turkaulia (Banjariya) PS Case
No. 16 of 2005 instituted for the offences under Section 47(A)
of Excise Act.

3. On 17.01.2005, based on a tip-off, police raided a
deserted bush area and recovered 40 litres of country-made
liquor and brewing equipment. One co-accused was caught, who
named the petitioner and another as those who fled.

4. The present one is the misuse of privilege of bail
by the petitioner. Learned counsel for the petitioner submits that
petitioner was initially granted bail by the court below after the



charge-sheet was filed and cognizance was taken, but his bail was cancelled on 05.06.2007 due to non-appearance, leading to issuance of NBW. He was re-arrested on 30.04.2022 and granted bail on 12.05.2022 with a condition for regular attendance, which he violated after 09.06.2022, resulting in another NBW on 19.07.2023. He was again arrested on 18.11.2024. Learned counsel for the petitioner submits that petitioner undertakes to abide by any condition imposed by this Court.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Trial No. 1374 of 2017 arising out of Turkaulia (Banjariya) PS Case No. 16 of 2005, subject to the following condition/s:-

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses of the case by intimidating/pressurizing the witnesses, during the investigation or trial, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(IV) If the petitioner is found indulged in any criminal activity or commission of any crime after being released on bail, the prosecution will be at liberty to file an appropriate application before the court below for cancellation of his bail.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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