

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63990 of 2021

Arising Out of PS. Case No.-255 Year-2021 Thana- BARAULI District- Gopalganj

SHAILESH KUMAR YADAV Son of Sri Vanka Yadav Resident of Village -
Majhawna, P.s.- Majhagarh, Distt.- Gopalganj, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey

For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 31-05-2022 Heard learned counsel for the petitioner and
learned APP for the State.

This Court would expect that the petitioner's
counsel would honour his undertaking in the instant proceedings
regarding supply of requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Barauli P.S.
Case No. 255 of 2021 registered under Section 30(a) of the
Bihar Prohibition and Excise Act, 2018.

Since 04.09.2021, petitioner is stated to be in
custody on the allegation of recovery of 36 litres country-made
wine which was being carried by him in milk canes on the
motorcycle.

It is submitted by petitioner's counsel that he has



no concern with the alleged milk can recovery. It is a case of false implication and he has clean antecedent.

Learned APP has opposed the prayer for bail.

Having regard to the period of custody and quantum of recovery, prayer for bail of the petitioner is allowed.

Let the petitioner above named 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 learned Additional District and Sessions Judge-II, Gopalganj, Bihar in Barauli P.S. Case No. 255 of 2021, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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