

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52036 of 2014

Arising Out of PS.Case No. -654 Year- 2014 Thana -BIHTA District- PATNA

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Binay Kumar Yadav, son of Sri Birendra Kumar Yadav, resident of village
Teghra, P.S. Bihiya, Distt. Bhojpur (Arrah)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surinder Kumar, Adv.

For the State : Ms. Gulnar Begum, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 06-01-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in a case instituted for the
offence under Sections 47 and 48 of the Excise Act and Sections
2, 3 and 4 of the Mahua Flower Act.

Considering that the Petitioner was merely the driver
of the truck of which Mahua flowers were loaded and his elder
brother Ajay Kumar Yadav undertakes his responsibility, let the
Petitioner above named, be released on bail on furnishing bail
bond of Rs.5,000/- (Five thousand) with two sureties of the like
amount each or any other surety to be fixed by the Court below to
the satisfaction of Additional Chief Judicial Magistrate, Danapur,
Distt. Patna, in connection with Bihta P.S. Case No. 654 of 2014
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 and the other shall be the elder brother of the Petitioner namely, Ajay Kumar Yadav. (ii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iii) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse. (iv) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

S.Ali/-

(Anjana Prakash, J)

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