

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31334 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -SHANKARPUR District- MADHEPURA

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1. Manohar Yadav @ Manohar Pd. Yadav son of Late Moti Yadav resident
of Village- Lahi, P.S.- Shankarpur, District- Madhepura..... .. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Anant Kumar-1

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 08-09-2016 Heard learned Sr. Counsel for the petitioner and
learned counsel representing the State.

The petitioner seeks bail in connection with Shankarpur
P.S. Case No. 30 of 2016 registered for the offences punishable
under Sections 272, 2873, 290 of the Indian Penal Code and
Section 47 (a) of Excise Act.

Allegedly, 1604 liters of illicit liquor and 50 empty bottles
were recovered from the house of the petitioner which was used
for keeping fodder.

Submission is of false implication and that the petitioner
is in custody since 01.04.2016, nothing has been recovered from
his conscious possession, the petitioner has been made victim of
circumstances, no offence as alleged is made out, the alleged
search and seizure is not in accordance with law and as such the

petitioner deserves sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above, considering the period of detention and further that there is no chance of tampering with prosecution evidence as chargesheet has already been submitted, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Ist, Madhepura in connection with Shankarpur P.S. Case No. 30 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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