

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4951 of 2017

Arising Out of PS.Case No. -125 Year- 2016 Thana -KASIMBAZAR District- MUNGER

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Fantush Yadav, son of Lakhan Yadav, resident of Village- Navtoliya
Bindwara, P.S.- Kasim Bazar, District- Munger.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Tarun Kumar Sinha, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 10-02-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 12.10.2016 in connection with Kasim Bazar P.S. Case No. 125 of 2016 for the offences alleged under Sections 47 of the Bihar Excise (Amendment) Act, 2016.

3. It is submitted that the petitioner has been falsely implicated as recovery of English wine has been made from the field of co-accused Sudho Yadav with which the petitioner has no concern. Similarly situated co-accused Malta Yadav has been granted anticipatory bail by this Court in Cr. Misc. No. 50966 of 2016.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Kasim Bazar P.S. Case No. 125 of 2016 with the following conditions:

(i) That one of the bailors shall be a close relative of the



petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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