

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18683 of 2017

Arising Out of PS.Case No. -264 Year- 2016 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Sudhir Kumar Yadav, Son of Krishnanandan Prasad Yadav, Resident of
Village- Katauliya, P.S.- Chiraiya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

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

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

2 11-05-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Chiraiya
P.S. Case No. 264 of 2016 registered for the offences punishable
under Section 30 (A) of Bihar Prohibition and Excise Act, 2016.

Allegedly, the petitioner was apprehended whereas,
two persons succeeded in fleeing away and from the orchard 62
piece Saufi liquor, each containing 300 ml, was recovered.

Submission is of false implication and that without any
fault the petitioner is suffering in custody since 19.12.2016, the
petitioner has been sufficiently penalized. Nothing has been
recovered from his conscious possession and, as such, now he



deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner has got criminal antecedent and earlier also he was involved in such offence.

In the facts and circumstances stated above, considering the detention of the petitioner, now the above named petitioner 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 C.J.M., East Champaran at Motihari in connection with Chiraiya P.S. Case No. 264 of 2016 subject to the conditions that one of the bailors must be 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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