

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22408 of 2017

Arising Out of PS.Case No. -177 Year- 2017 Thana -GAYA KOTWALI District- GAYA

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1. Upendra Kumar Yadav Son of Lotan Yadav, Resident of Village- Niskha,
P.S.- Magadh University in the District of Gaya, at present Residing at
Mohalla Ramshila More, P.S. Kotwali, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-07-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(D) of Bihar Excise Act, 2016 as well as Sections 2(E), 35(B) and 18/42 of Mahua Flower Act in connection with Kotwali P.S. Case No. 177/2017.

Allegation against the petitioner is of recovery of huge quantity of mahua from a vehicle and it is alleged that the petitioner is driver of the said vehicle.

It has been submitted on behalf of the petitioner that the F.I.R. itself shows that the petitioner is driver of the vehicle and the seized articles has been recovered inside the sack of the potato



and further the petitioner is in custody since 23.04.2017.

Heard learned Additional Public Prosecutor also.

Having heard both sides, in view of the facts that the petitioner is driver of the vehicle, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise)-cum-ADJ V, Gaya in connection with Kotwali P.S. Case No. 177/2017, subject to conditions that one of the bailors should be relative of the petitioner and another having sufficient immovable property within the jurisdiction of the court below with further condition that he will co-operate in disposal of the trial and will make himself available before the court and failure to appear on two consecutive dates without any appropriate reason will be liable for cancellation of his bail.

(Vinod Kumar Sinha, J.)

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