

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51397 of 2017

Arising Out of PS. Case No.-124 Year-2017 Thana- KARGAHAR District- Rohtas

Rash Bihari Yadav S/o Subhash Yadav, R/o Village- Kharpura, P.S.- Kargahar,
District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. ATUL CHANDRA, A.P.P.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for offences punishable under Sections 30 (a) and 35 of Bihar Excise Amendment Act, 2016.

It is contended that, as per allegation, 1036 liters of foreign liquor was recovered from the side of canal. The co-accused Chandan Kumar, who has been apprehended in Sasaram (Model) P.S. Case No. 112/17, has made confessional statement in which he has confessed his guilt and named altogether 28 persons including the petitioner, who were indulged in the business of illegal liquor. It is further contended that nothing has been recovered from the possession of the petitioner. It is urged that the petitioner is in



custody since 15.05.2017. It is stated in paragraph 3 of the bail petition that the petitioner has also involved in Sasaram (Model) P.S. Case No. 112/17 under Section 420 of the Indian Penal Code and Sections 30 (a), 38, 41 of the Bihar Prohibition and Excise Act.

Considering the facts and circumstances of the case, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II-cum-Special Court, Excise, Rohtas at Sasaram in connection with Kargahar P.S. Case No.124/2017 with a condition that if the petitioner, after his release in this case, is again found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of his bail bonds.

That apart, in view of the antecedents of the petitioner, he would be required to appear before the Superintendent of Police, Rohtas at Sasaram within fifteen days of his release with a copy of this order and every month thereafter for the next six months. The conduct of the petitioner will be kept under watch in the aforesaid period by the Superintendent of Police concerned and if it is found wanting in any respect, a



report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned which should be granted by the Superintendent of Police concerned upon his appearance.

(Dr. Ravi Ranjan, J)

V.K.Pandey/-

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