

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15826 of 2017

Arising Out of PS.Case No. -20 Year- 2017 Thana -MANIGACHI District- DARBHANGA

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1. Wakil Yadav Son of Late Munnilal Yadav Resident of Village : Amtahi,
P.S. Manigachhi, District : Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha

For the Opposite Party/s : Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 12-05-2017 The petitioner seeks regular bail in connection with G.O.

Case No. 47 of 2017, arising out of Manigachii P.S. Case No. 20
of 2017, registered for offences punishable under Section 30(A)
of the Bihar Excise Prohibition Act, 2016.

Allegation against the petitioner is of recovery of three
motorcycle and one cartoon of wine.

It has been submitted on behalf of the petitioner that
though there is allegation of recovery of one cartoon of wine and
three motorcycle, however, nothing has been recovered either
from conscious possession of the petitioner or from his house and
he has been made accused only on the basis of confessional
statement of co-accused of this case. Further the motorcycles,
which were seized, do not belong to the petitioner. Petitioner has



no criminal antecedent and has been in judicial custody since 23.01.2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that petitioner's name transpired on this case only on the basis of confessional statement of co-accused and except that there is nothing against the petitioner, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned Special Judge-cum-Sessions Judge, Darbhanga, in connection with G.O. Case No. 47 of 2017, arising out of Manigachii P.S. Case No. 20 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event



of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

It is also made clear that if the petitioner again found involved in any of such offence, in future, prosecution will be free to move for cancellation of his bail bonds.

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(Vinod Kumar Sinha, J)

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