

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6493 of 2018

Arising Out of PS.Case No. -799 Year- 2017 Thana -BARACHATTI District- GAYA

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Arjun Yadav @ Arjun Kumar, Son of Gupteshwar Singh @ Gupteshwar Singh Yadav, resident of Village Tappudana, Police Station- Tappudana, District- Ranchi (Jharkhand).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rabindra Kumar Priyadarshi, Advocate

For the Opposite Party: Mr. Rajendra Pd. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 09-02-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 21.12.2017 in connection with Barachatti P.S. Case No. 799 of 2017 for the offences alleged under Sections 30(a), 38 and 47 of the Bihar Prohibition & Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of total 441 litres of foreign liquor. It is submitted that nothing has been recovered from conscious possession of the petitioner who happened to be the driver of the vehicle from which recovery was made and he has no knowledge about the foreign liquor kept in the vehicle. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case and having regard to the period of custody of the above named petitioner since 21.12.2017, let him 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 Special Judge, Excise Act, Gaya in connection



with Barachatti P.S. Case No. 799 of 2017, on 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)

B.T/Chandran

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