IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20414 of 2018

Arising out of PS. Case No.-28 Year-2018 Thana- BIHTA District- Patna

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Niraj Yadav S/o Vilash Yadav @ Bilash Ray, R/o Village- Bishunpur, P.S.- Bidupur, district- Vaishali.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Birendra Singh, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

2 19-04-2018 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for offences under Section 30 (a), 38 of the Bihar Prohibition and Excise Act, 2016.

It is contended that, as per allegation, huge quantity of foreign liquor was recovered from the Tata 407 vehicle which is said to be driven by the petitioner but he has nothing to do with the alleged recovered wine. It is further contended that two co-accused persons had been granted bail by a Co-ordinate Bench of this Court vide Annexure-2 and 3. Petitioner claims that he is having clean antecedent and is in custody since 11.01.2018.

Considering the facts and the circumstances of the

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case, the petitioner, above named is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Patna in connection with Bihta P.S. Case No. 28 of 2018 (Spl. Case No. 264/2018) with a condition that if the petitioner, after his release in this case, is again found to be involved in criminal case of similar nature, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

However, at the time of accepting bail bond, the court below will verify and assure itself regarding the criminal antecedent of the petitioner. If the petitioner is having clean antecedent then his bail bond would be accepted otherwise he would be taken in custody.

(Dr. Ravi Ranjan, J)

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