

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63583 of 2017

Arising Out of PS.Case No. -85 Year- 2016 Thana -ASAWAN District- SIWAN

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1. Rajesh Yadav @ Kranti, Son of Umesh, Resident of Village - Dahabari
Sultanpur, P.S. Ander, District-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-01-2018 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with

Ashwan PS case no. 85 of 2016 instituted for the offences

punishable under Sections 272, 273, 308 of Indian Penal Code and

47 of the Bihar Excise and Prohibition Act, 2016.

The allegation is regarding recovery of 27 ltrs. of

illicit liquor from a pitch road near a school and the name of the

petitioner transpired upon the disclosure made by the informant.

The learned counsel for the petitioner submits that

no recovery has been effected from the conscious possession of

the petitioner and he has been falsely implicated in the present

case. It is further submitted that the petitioner is languishing in



custody since 04.11.2017. It is next submitted that the petitioner is an accused in four other cases.

Considering the nature of accusation and the period of custody undergone, though I am inclined to grant bail to the petitioner but on account of his poor criminal antecedent, I deem it fit and appropriate to direct for release of the petitioner on regular bail upon furnishing bail bond of Rs. 2,00,000/- (Rs. Two lacs) with two sureties of the like amount each to the satisfaction of Addl. District & Sessions Judge 2nd -cum -Special Judge (Excise), Siwan in connection with Ashawn PS case no. 85 of 2017. It is further directed that in case the petitioner is apprehended henceforth in same and similar type of case and made an accused, the present privilege of bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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