

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63541 of 2018

Arising Out of PS.Case No. -85 Year- 2018 Thana -FULKAHA District- ARRARIA

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1. Sudhir Kumar Yadav, Son of Kapil Yadav, resident of Village-
Manikpur, P.S.- Fulkaha, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Sri Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-10-2018 Heard the parties.

The petitioner seeks regular bail in connection with Special Case No.561 of 2018 arising out of Fulkaha P.S.Case No.85 of 2018 dated 10.5.2018 registered for offences punishable under Section 414 of the Indian Penal Code and Section Sections 30(a) of Bihar Excise Prohibition Amendment Act, 2016.

Allegation against the petitioner is about recovery of 248 ltrs. of liquor from the co-accused and the co-accused has named this petitioner.

Submission of the learned counsel for the petitioner is that nothing has been recovered from his possession, he has no criminal antecedent and he is in custody since 28.8.2018.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Special Case No.561 of 2018 arising out of Fulkaha P.S.Case No.85 of 2018.

With 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 co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure 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 bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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