

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65778 of 2018

Arising Out of PS. Case No.-92 Year-2018 Thana- DEODHA District- Madhubani

Umashankar Yadav @ Pappu Yadav @ Pappu S/o Satya Narayan Yadav
Resident of Village-Madhiya, Ward No.14 P.S.- Basopatti, Distt.-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 19-11-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Deodha P.S. Case No. 92 of 2018** registered for the offence punishable under Sections 272, 273 and 414 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is of recovery of 5.62 Litres of country made liquor from the dicky of motorcycle.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 29.10.2018 in Criminal Miscellaneous No. 64798 of 2018. Petitioner is in custody since 28.08.2018.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **2nd Additional Sessions Judge cum Special Judge Excise Act, Madhubani**, in connection with **Deodha P.S. Case No. 92 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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