

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76707 of 2018

Arising Out of PS. Case No.-214 Year-2018 Thana- DURAULI District- Siwan

Mukesh Yadav, son of Rambachan Yadav, resident of village- Panditpura,
Police Station- Bankata, District- Deoria (U.P.)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Dr. Rabindra Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 19-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Darauli P.S. Case No. 214 of 2018 registered
for the offences punishable under Sections 30(a), 38(a) & 41(i)
of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 34.560 ml. illicit wine
from the possession of the petitioner.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case. Nothing was recovered from the
conscious possession of the petitioner. Petitioner has no
criminal antecedent and is in custody since 21.09.2018.

Considering the aforesaid fact and circumstances of



the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Siwan, in connection with Darauli P.S. Case No. 214 of 2018, subject to 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.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

Rajiv/-

U		T	
---	--	---	--

