

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52791 of 2018

Arising Out of PS.Case No. -59 Year- 2018 Thana -FULKAHA District- ARRARIA

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Santosh Kumar Yadav @ Santosh Yadav, Son of Shri Bhimsen Yadav,
resident of Village: Bhodhar, P.S. Fulkaha, District - Araria, Bihar, PIN:
854311.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party: Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 20-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 30(a)/36/38 of the Bihar Prohibition and Excise Act, 2016 registered in connection with Fulkaha P.S. Case No. 59 of 2018 (Spl. Case No. 427/2018).

3. It is submitted that the petitioner has been falsely implicated in connection with the alleged recovery of 33.6 litres of Nepali liquor from the person riding on the motor-cycle. Co-accused Jai Krishna Yadav, who was arrested on the spot, named the petitioner as other person riding on the motor-cycle. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction



of learned 2nd Additional Sessions Judge, Araria in connection with Fulkaha P.S. Case No. 59 of 2018 (Spl. Case No. 427/2018), subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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