

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6307 of 2018

Arising Out of PS.Case No. -15 Year- 2017 Thana -BASNAHI District- SAHARSA

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Manish Yadav, son of Late Indradev Yadav @ Inderdeo Yadav, resident of village Atalkha, P.S. Basnahi, Dist. Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 01-02-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 20.12.2017 in connection with Special (Excise) Case No. 29 of 2017, arising out of Basnahi P.S. Case No. 15 of 2017 for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 16 litres of Mahua wine as the same has not been recovered from the petitioner, but from co-accused Roshan Kumar Yadav. The petitioner was not arrested at the spot and his name has surfaced on the confessional statement of the said co-accused Roshan Kumar Yadav.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge, Excise Act, Saharsa in connection with Special (Excise) Case No. 29 of 2017, arising out of Basnahi P.S. Case No. 15 of 2017 on the following 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) That the petitioner shall co-operate with the investigation, if not already concluded, 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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