

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.74288 of 2018

Arising Out of PS. Case No.-657 Year-2018 Thana- PURNEA SADAR District- Purnia

Amar Kumar Yadav @ Sahil @ Sahil Kumar Yadav S/o Sudesh Yadav @
Sudesh Kumar Yadav R/o Village Srinagar Rani Patra,P.S. sadar
(Mufasil),Distt.-Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sah @ Baranwal
For the Opposite Party/s : Mr. Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Special Excise Case No. 1028/18 arising out of
Sadar (Mufasil) P.S. Case No. 657 of 2018 registered for the
offence punishable under Sections 272, 273 of the Indian Penal
Code and Section 30(a) of Bihar Excise (Prohibition)
Amendment Act, 2016.

Allegation against petitioner is recovery of 19.50
litres of foreign liquor from the motorcycle on which petitioner
was sitting alongwith other co-accused.

It has been submitted on behalf of the petitioner that
he was a pillion rider and the person who was riding the
motorcycle was the owner of seized illegal liquor and on seeing
the police, he fled away leaving the motorcycle and illegal



liquor and petitioner was apprehended by the police. Petitioner has no criminal antecedent and he is in custody since 12.11.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge-cum-Special Judge (Excise), Purnea (Bihar), in connection with Special Excise Case No. 1028/18 arising out of Sadar (Mufasil) P.S. Case No. 657 of 2018 subject to the conditions that:-

(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 bond.

(S. Kumar, J)

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