

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6308 of 2018

Arising Out of PS.Case No. -313 Year- 2016 Thana -RAHUI (Bhaganbigha) District- NALANDA
(BIHARSHARIFF)

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Sanjay Yadav, Son of Late Dukhi Yadav, r/o. village Nawada Basti,
Koriadih, P.S. Tilaiya, District Kodarma (Jharkhand)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh

For the Opposite Party/s : Mr. Ajay Kumar-1

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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 27.12.2017 in connection with Rahui (Bhaganbigha) P.S. Case No. 313 of 2016 for the alleged offences under Section 420, 120(B) of the Indian Penal Code and Section 30(a), 38 and 41 of the Bihar Prohibition & Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 119 cartons of foreign liquor from a truck. It is submitted that no recovery has been made from the conscious possession of the petitioner and he has no connection whatsoever with the truck in question. His name has surfaced from the confessional statement of co-accused Manoj Yadav, who has been granted anticipatory bail by this Court in Cr. Misc. No. 25566 of 2017. Other co-accused Bunt Kumar Yadav @ Banty Kumar @ Butty Kumar Yadav has also been granted anticipatory bail by this Court in Cr. Misc. No. 7761 of 2017. Co-accused Akhilesh Prasad @ Akhilesh Kumar and Rohit Kumar have been granted bail by this Court in Cr. Misc. No. 16411 of 2017 and



Raushan Kumar @ Chunnu has been granted bail by this Court in Cr. Misc. No. 59061 of 2017. The petitioner claims clean antecedents except Nawada (Town) P.S. Case No. 520 of 2015 for offence of different nature.

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 District & Sessions Judge-V-cum-Special Excise Judge, Bihar Sharif, Nalanda in connection with Rahui (Bhaganbigha) P.S. Case No. 313 of 2016 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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