

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67428 of 2018

Arising Out of PS. Case No.-406 Year-2018 Thana- BAGHA District- West Champaran

Brijesh Yadav, S/o Lalan Yadav, Resident of Village-Narainapur Ghat, P.S.-
Bagaha (Pathkhauli) District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Smt. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with Bagaha (Pathkhauli) P.s.Case no.406 of 2018 registered for offences punishable under Sections 30(a) of Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is about recovery of 155 ltrs. of liquor from the boat and the petitioner is named in the FIR.

Submission of the learned counsel for the petitioner is that nothing has been recovered from the conscious possession of the petitioner and he has been named only on the basis of suspicion and having no criminal antecedent. He is in custody for about 3 ½ months.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Bettiah, West Champaran in connection with Bagaha (Pathkhauli) P.S.case No.406 of 2018.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

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(Vinod Kumar Sinha, J)

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