

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67092 of 2018

Arising Out of PS. Case No.-112 Year-2017 Thana- THARTHARI District- Nalanda

Sanjay Yadav S/o Late Babu Chand Yadav @ Late Babu Chand Gope,
Resident of Village-Atabal Chak, P.S.-Tharghari, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Singh

For the Opposite Party/s : Mr. Sri Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with Tharthari P.S.Case No.112 of 2017 registered for offences punishable under Sections 30(a), 37(b) of Bihar Prohibition and Excise At, 2016.

Allegation against the petitioner is about recovery of 3 ltrs. of semi manufactured liquor.

Submission of the learned counsel for the petitioner is that nothing has been recovered from his conscious possession or house of the petitioner rather it has been recovered from the bed of the river and his name appeared on disclosrue made by the co-accused. It is further submitted that though he is accused in one more case but he is on bail in that case and he is in custody since 8.8.2018.



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 Additional Sessions Judge -Vith cum Special Excise court Nalanda at Biharsharif in connection with Tharthari P.S.Case No.112 of 2017..

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.

(Vinod Kumar Sinha, J)

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