

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.72 of 2019**

Arising Out of PS. Case No.-204 Year-2018 Thana- HASANPUR District- Samastipur

Amit Yadav Son of Lalan Yadav Resident of Village - Malhipur, Police  
Station - Hasanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rana Sanjay Kumar Singh  
For the Opposite Party/s : Mr.Sri Parmanand Prasad

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

3      25-01-2019                      Heard learned counsel for the petitioner and learned  
counsel for the State.

Petitioner, who is in custody, seeks bail in connection  
with Hasanpur P.S. Case No. 204 of 2018 registered for the  
offence punishable under Sections 30(A), 41, 47 of Bihar  
Prohibition and Excise Act, 2016.

Allegation is recovery of 51.300 litres of foreign  
liquor from the house of petitioner. While rejecting the regular  
bail petition Special court has found that in paragraph 36 of the  
case diary it has been stated that petitioner has criminal  
antecedent.

Considering the nature of allegation against petitioner, I  
am not inclined to grant bail to the petitioner. Accordingly the  
prayer for bail is rejected at this stage.

However, after six months of custody the petitioner



would be enlarge on bail by the court below itself on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 3<sup>rd</sup> Additional Sessions Judge cum Special Judge, Excise, Samastipur, in connection with Hasanpur P.S. Case No. 204 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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.

**(S. Kumar, J)**

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