

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5792 of 2019

Arising Out of PS. Case No.-480 Year-2018 Thana- TRIVENIGANJ District- Supaul

Subodh Yadav @ Subodh Kumar Yadav, aged about 22 years, Male, son of
Gayanand Yadav, resident of Village- Madhubani Ward No. 2, Police Station
-Balua Bazar, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Adv.
Mr. Agreya Pratap, Adv.
For the Opposite Party/s : Mr.Parmanand Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 05-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with S.T. Excise 889 of 2018, arising out of
Triveniganj P.S. Case No. 480 of 2018, registered for the
offences punishable under Section 30(a) of Bihar Prohibition
and Excise Act, 2016.

Allegation is recovery of 48 liters of Nepali
country made liquor from the possession of petitioner and one
co-accused while he along with other co-accused was coming
from Kumiyaahi Ghat on one motorcycle and on seeing police
party accused persons tried to flee away but after chase one
person was caught hold and other co-accused fled away.



It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner has no criminal antecedent and is in custody since 17.12.2018.

Considering the aforesaid fact 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 A.D.J.-II-cum-Special Judge, Excise, Supaul, in connection with S.T. Excise No. 889 of 2018, arising out of Triveniganj P.S. Case No. 480 of 2018, subject to conditions:

- (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 bonds.

(S. Kumar, J)

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