

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5910 of 2019

Arising Out of PS. Case No.-401 Year-2017 Thana- AMARPUR District- Banka *

Shakti Yadav @ Shiv Shakti Yadav Son of-Shyam Sundar Yadav Resident of
village-Dhamnichak, P.O.-Amarpur, Dist. Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Mishra
For the Opposite Party/s : Mr.Amarendra Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 01-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Amarpur P.S. Case No. 401 of 2017 registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition & Excise Act.

It is contended that, as per allegation 280. 600 litres of
country-made liquor was recovered from the house of co-
accused Ajay Sah, who disclosed that one of the owners of
aforesaid liquor was petitioner.

It has been submitted on behalf of the petitioner that
petitioner is innocent and has been falsely implicated in this
case only on confessional statement of co-accused made before
the police. Nothing has been recovered from the possession of



petitioner is in custody since 20.08.2018.

Considering the aforesaid facts 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 2nd Additional Sessions Judge, Banka, in connection with Amarpur P.S. Case No. 401 of 2017 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 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 bond.

(S. Kumar, J)

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