

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8538 of 2019

Arising Out of PS. Case No.-858 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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1. Biku Yadav, aged about 28 years, (M), S/o Sri Yogendra Yadav
 2. Yogendra Yadav @ Yogindra Yadav, aged about 51 years, (M), S/o Late Deonath Yadav
Both residents of Mohalla- Mirza Toli, Chhawani, Ward No. 5, P.S. Bettiah Town, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.
For the Opposite Party/s : Mr. Ram Bachan Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 27-02-2019 Heard learned counsel for petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail in connection with Bettiah Town P.S. Case No. 858 of 2018 registered for the offences punishable under Sections 30(a), 33, 35, 38 of Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 53.415 liters of foreign liquor from the residential house of Ramdeo Singh and he arrested on the spot.

It has been submitted on behalf of the petitioners that they are innocent and have committed no offence.



Petitioners have been falsely implicated in this case. Name of petitioner has surfaced on the basis of confession made by said Ramdeo Singh. Petitioner was neither arrested on the spot nor anything has been recovered from his possession. Petitioner is in custody since 20.11.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, West Champaran at Bettiah, in connection with Bettiah Town P.S. Case No. 858 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioners 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 petitioners.
- (4) If the petitioners are found involved in similar



nature of offences, after their release on bail the trial
court shall take steps to cancel their bail bonds.

(S. Kumar, J)

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