

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10971 of 2019

Arising Out of PS. Case No.-539 Year-2018 Thana- JAYNAGAR District- Madhubani

Roushan Kumar Yadav, (Male) age about 20 years, son of Pradip Kumar Yadav, Resident of village-Kamlawari, P.S.-Jainagar, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav, Adv.

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 28-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Jainagar P.S. Case No. 539 of 2018 registered for the offences punishable under Sections 272, 273, 414/34 of the Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

Informant has alleged that on 25.09.2018 he received a secret information thereafter raid was conducted and from the orchard, 910.2 liters of illicit Nepali liquor were recovered and four persons including the petitioner were apprehended from that place.

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. Nothing was recovered from the possession or house of the petitioner. Similarly placed co-accused has been granted bail by co-ordinate bench of this court vide order dated 14.02.2019 passed in Cr. Misc. No. 8710 of 2019. Petitioner is in custody since 27.09.2018.

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 A.D.J.-II-cum- Special Judge (Excise) Madhubani, in connection with Jainagar P.S. Case No. 539 of 2018, (G.R. Case No. 1419 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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