

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9686 of 2019

Arising Out of PS. Case No.-194 Year-2018 Thana- NAUTAN District- Siwan

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Mantu Yadav @ Mantu Yadav, aged about 22 years, Gender – Male, Son of
Suresh Yadav @ Suresh Chaudhary, Resident of Village- Makariyar, P.S.-
Dhanauti O.P. Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 19-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Nautan P.S. Case No. 194 of 2018 registered
for the offences punishable under Sections 272, 273, 308, 34,
120(B) of the Indian Penal Code and Section 30(a), 41(1) of
Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 483.840 liters of foreign
liquor from two vehicles in start condition and on seeing police
petitioner and co-accused fled away, leaving the car.

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. No incriminating articles have



been recovered from conscious possession of the petitioner. The name of petitioner has surfaced in this case by the local chaukidar who had identified the petitioner in the light of torch. Petitioner is accused in one more case in similar nature. Similarly placed co-accused has been granted bail by co-ordinate bench of this court vide order dated 18.12.2018 passed in Cr. Misc. No. 75457 of 2018. Petitioner is in custody since 30.11.2018.

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-cum-Special Judge, Excise, Siwan, in connection with Nautan P.S. Case No. 194 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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