

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8644 of 2019**

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

Shiv Kumar Yadav @ Shiv Kumar Chaudhary Son of Hridya Nand Yadav @  
Hridaya Yadav Resident of Village-Phulwaria (Fulwaria), P.S.- Mairwa,  
District-siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Satyendra Rai

For the Opposite Party/s : Mr.Nand Kumar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      14-02-2019                      Heard the learned counsel for the petitioner and the  
learned counsel for the State.

The petitioner seeks regular bail in connection  
with Nautan PS case no. 194 of 2018 registered for the offence  
punishable under Sections 272, 273, 308/34, 120(B) of Indian  
Penal Code and 30(A), 38(A), 41(1) of Bihar Prohibition and  
Excise Act, 2016.

The allegation is regarding 483.840 liters of  
illicit liquor having been recovered from a Safari vehicle and the  
petitioner was caught when he was fleeing away from the said  
vehicle.

The learned counsel for the petitioner submits  
that the petitioner has been falsely implicated in the present case



and infact, the vehicle does not belong to the petitioner. It is submitted that though the petitioner is having bad antecedent, inasmuch as three cases of similar nature are pending against him but the petitioner is on bail in two cases. It is further submitted that the petitioner is in custody since 29.11.2018 and he is ready to abide by whatever conditions as may be deemed fit and proper to be imposed upon him.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the abovenamed petitioner is directed to be enlarged on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-2nd-cum-Special Judge, Excise, Siwan in connection with Nautan PS case no. 194 of 2018. It is further directed that in case, the petitioner is implicated henceforth in a similar type of case, the present privilege of regular bail shall stand cancelled automatically.

**(Mohit Kumar Shah, J)**

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