

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8382 of 2019

Arising Out of PS. Case No.-536 Year-2018 Thana- MUFFASIL District- West Champaran

1. BIKU YADAV aged about 28 years Male Son of Sri Yogendra Yadav
Resident of Mohalla- Mirza Toli, Chhawani, Ward No.- 5
2. Yogendra Yadav aged about 51 years Male Son of Late Deonath Yadav
Resident of Village - Mirza Toli, Chhawani, Ward No.- 5

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 12-03-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 1946 litres of foreign liquor from the godown of Rupesh Kumar Yadav s/o Chandrika Yadav on 04.10.2018. Allegation against petitioners is that they are employees of Rupesh Kumar Yadav and they were sitting in the vehicle in front of the godown. Petitioner No. 1 is driver and petitioner no. 2 is Watchman of said godown.

It has been submitted on behalf of the petitioners that 18 litres of country made liquor was recovered from the vehicle



on which petitioner no. 1 was sitting. It has been further submitted that the petitioners are driver and employee of said Rupesh Kumar Yadav and Chandrika Yadav and are not involved in the trade of illicit liquor. Petitioners have got no criminal antecedent and subsequently to their implication in this case, they have been remanded in Excise Case Being Bettiah Town P.S. Case No. 858 of 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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Muffasil P.S. Case No. 536 of 2018**, with following 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 properly represented on each and every date fixed by the court.

(3) If the petitioners tamper 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 offence, after their release on bail, the trial



court shall take steps to cancel their bail bonds.

(S. Kumar, J)

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