

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9673 of 2019

Arising Out of PS. Case No.-324 Year-2018 Thana- CHAUSA District- Madhepura

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MITHILESH KUMAR YADAV @ MITHILESH YADAV Son of- Ram
Chandra Yadav Resident of Village-Laualagan, P.S.- Chausa, District-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

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

Petitioner, who is in custody, seeks bail in
connection with Chausa P.S. Case No. 324 of 2018 registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition & Excise Act, 2016.

Allegation is recovery of 52 litres of foreign liquor
from the possession of petitioner and he was apprehended from
the spot. Petitioner is also accused in case of similar nature.

Considering the nature of allegation against petitioner,
I am not inclined to grant bail to the petitioner. Accordingly the
prayer for bail is rejected at this stage.



However, after six months of custody the petitioner would be enlarge on bail by the court below itself on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge- IInd, Special Judge, Excise Act, Madhepura, in connection with Chausa P.S. Case No. 324 of 2018 subject to the conditions that:-

(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 bond.

(S. Kumar, J)

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