

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9379 of 2019

Arising Out of PS. Case No.-258 Year-2018 Thana- MAIRWAN District- Siwan

SHIV KUMAR YADAV Son of Hardyanand Yadav Resident of Village -
Phulwaria, PO- Phulwaria, P.S-Mairwa, Dist.-Siwan .

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Shahi
For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 18-02-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Mairwa P.S.
Case No. 258 of 2018 instituted for the offence under Section(s)
272/273/308/34 of the Indian Penal Code and 30/38/41 of Bihar
Prohibition & Excise Act, 2016.

In the written report, it is alleged that total 113.76 litres
of foreign liquor have been recovered from a Tata Indigo car.
Police arrested one Rahul Yadav from the said car and two
persons managed to run away.

Learned counsel for petitioner has submitted that name
of this petitioner has been disclosed by co -accused Rahul Yadav.
He further submits that there is no recovery of any foreign liquor
from possession of this petitioner.

Learned counsel for petitioner has submitted that co-



accused Rahul Yadav has already been granted bail by a co-ordinate Bench of this Court by order dated 11.12.2018 passed in Criminal Miscellaneous No. 69414 of 2018.

Learned counsel for the State has appeared and opposed the prayer for bail. He submits that five other cases under the Excise Act are pending against this petitioner

Petitioner is in custody since 25.11.2018.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II cum Special Judge (Excise Act), Siwan in connection with Mairwa P.S. Case No. 258 of 2018, subject to the condition that both the bailors shall be the close relative of the petitioner

The petitioner will file affidavit at the time of filing bail bond that he would not indulge himself in such type of activities in future. If he is found indulged in such type of activities, his bail bond in instant case will liable to be cancelled.

(Sanjay Priya, J)

shyambihari/mu
kesh-

U		T	
---	--	---	--

