

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15649 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- SIMRI District- Darbhanga

CHANDRA BHUSHAN YADAV, aged about 37 years, Gender- Male, Son of Late Rajendra Prasad Yadav @ Late Rajendra Yadav, R/o village- Basudeopur, P.S.- Bahadurpur, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar, Adv.

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 01-04-2019 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Sections 272, 273, 120(B) of the Indian Penal code and Section 30(a), 38, 41 of the Bihar Prohibition and Excise Act, 2016.

The petitioner along with four other accused persons as named in the written report were found sitting in the Scorpio vehicle and police recovered 87.840 liters of foreign liquor from the said Scorpio vehicle. It is further alleged that on the disclosure made by co-accused Santosh Kumar and other accused persons truck was seized which was carrying 1700.64 liters of liquor and the name of driver of the said truck was



Mukesh Kumar.

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 only on the basis of suspicion. Petitioner is a student of B.A. Similarly placed co-accused have been granted bail by co-ordinate bench of this court vide order dated 13.03.2019 and 26.03.2019 passed in Cr. Misc. No. 15501 of 2019 and Cr. Misc. No. 15906 of 2019. Petitioner is in custody since 12.01.2019.

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 court below where the case is pending in connection with Simri P.S. Case No. 02 of 2019, 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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