

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16423 of 2019

Arising Out of P.S. Case No.-26 Year-2019 Thana- FULKAHA District- Araria

=====

AJAY YADAV, aged about 30 years (Male), Son of Late Bal Krishan Yadav
Resident of Village - Madhura Pashchim Ward No. 03, P.S.- Narpatganj,
District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr.Rajendra Singh, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 27-03-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
13.02.2019 in connection with Special Case No.214 of 2019
arising out of Fulkaha P.S.Case No.26 of 2019 for the offence
alleged under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case as lodged by the SSB Officials
is that the petitioner was apprehended near the Indo Nepal
Border carrying 73 litres of Nepali Soufi wine in his
motorcycle. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and



the seizure list does not bear his signature although it is alleged that the petitioner was apprehended on the spot which is non-compliance of Section 100 of the Cr.P.C. He further submits that the petitioner has been falsely implicated and undertakes to cooperate in the investigation and not to tamper with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the materials on record and the nature of allegations, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Special Case No.214 of 2019 arising out of Fulkaha P.S.Case No.26 of 2019 to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Araria subject to the conditions that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

B.Kr./-

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

