

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21960 of 2019

Arising Out of PS. Case No.-374 Year-2018 Thana- DHAKA District- East Champaran

SANTOSH PD. YADAV Son of Late Bhikhari Pd. @ Bhikhari Ray @ Bhikari Pd. Yadav Resident of Village-Parei, P.S.-Shikarganj, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 08-05-2019 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in Dhaka (Pachpakhari) P.S. Case No. 374/2018, instituted for offence under Section(s) 414 of the Indian Penal Code read with Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Earlier prayer for bail of petitioner was rejected by this Court in Cr. Misc. No. 73729/2018 dated 09.01.2019 with liberty to renew the prayer for bail after completion of six months.

It is alleged in the written report that total 963 litres of illicit liquor was recovered from a Bolero vehicle. Petitioner is said to be driver of aforesaid vehicle.

Report from the court below regarding present stage of case has been received, from which it appears that case is pending for framing of charge.



Petitioner is in custody since 14.09.2018.

In such circumstances, prayer of the petitioner for grant of bail is allowed. 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 Special Judge, Excise, East Champaran at Motihari in connection with Dhaka (Pachpakhari) P.S. Case No. 374/2018, subject to the conditions that

- (i) both the bailors shall be the close relative of the petitioner.
- (ii) petitioner shall be present on each and every date fixed by the court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioner and
- (iii) if petitioner tamper with the evidence in the case, prosecution will be at liberty to move for cancellation of bail bond of the petitioner.

(Sanjay Priya, J)

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