

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 19329 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- MAGADH UNIVERSITY District- Gaya

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AWADHESH KUMAR @ ABADHESH KUMAR YADAV, aged about 21 years, Male, S/o Kapil Yadav R/o village- Bela, P.S.- Huntarganj, District- Chatra (Jharkhand)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Dinesh Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 04-04-2019 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 30(a) of Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 34.125 liters of English wine from the vehicle of the petitioner.

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. Nothing has been recovered from the possession of the petitioner. Petitioner has no criminal antecedent and is in custody since 21.02.2019.



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 Magadh University P.S. Case No. 12 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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