

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78092 of 2018

Arising Out of PS. Case No.-36 Year-2018 Thana- MANSI District- Khagaria

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Bittu Yadav S/o Harbansh Yadv, R/o Vill.- Rajajan P.S.- Mansi, District-
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bharat Bhushan, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 08-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Mansi P.S. Case No. 36 of 2018 arising out of
G.R. No. 463 of 2018 registered for the offences punishable
under Section 30 (a) Bihar Prohibition and Excise Act, 2016.

Informant is a police officer who has filed a written
complaint that on receiving a confidential information he along
with other police personnel raided the house of accused
Raushan Kumar Yadav and two persons on seeing the police
fled away but could not be apprehended even after chase and
from the land behind the house of Raushan Kumar Yadav 7
cartoons of foreign liquor measuring 59 liters were recovered.

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. Petitioner has not been apprehended on the spot and petitioner has been made accused on the basis of suspicion only. Petitioner is in custody since 10.09.2018.

Considering the aforesaid fact 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 Additional Sessions Judge 2nd -cum-Special Judge Excise, Khagaria, in connection with Mansi P.S. Case No. 36 of 2018 (G.R. No. 463 of 2018), 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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