

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78267 of 2018

Arising Out of PS. Case No.-158 Year-2018 Thana- DARAUNDA District- Siwan

Kamlesh Yadav Son of Ganesh Yadav @ Ganesh Ray, Resident of Village-
Bal Bangra, Police Station - Daraundha, District- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Daraundha P.S. Case No.158
of 2018 registered for the offence punishable under Sections
272, 273, 34 of the I.P.C. and Sections 30(a), 38 of the Bihar
Prohibition & Excise Act, 2016.

The prosecution case in short is that 327 litres wine is
recovered from the possession of the accused persons.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case.
Nothing has been recovered from the conscious possession of
the petitioner. Similarly placed co-accused Mukesh Yadav and
another have already been granted bail by a co-ordinate Bench
of this Court vide order dated 26.11.2018 passed in Cr. Misc.
No.69298 of 2018. Petitioner is in custody since 27.10.2018.



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/- with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Siwan in connection with Daraundha P.S. Case No.158 of 2018, with following 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 properly 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 bond.

(S. Kumar, J)

Sanjay/-

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

