

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66960 of 2018

Arising Out of PS. Case No.-231 Year-2018 Thana- HUSSAINGANJ District- Siwan

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Shailendra Yadav S/o Birendra Yadav Resident of Village-Chhapia
Bujurg,P.S. Hussainganj,Distt.-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Sri Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-01-2019 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 30(a)/36/38 of the Bihar Prohibition and Excise Act, 2016 registered in connection with Hussainganj P.S. Case No. 231/2018.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 22.50 litres of English wine. It is further submitted that the offending goods have not been recovered from the conscious possession of the petitioner. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and



circumstances, as such, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Siwan, in connection with Hussainganj P.S. Case No. 231/2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without



sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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