

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49229 of 2019

Arising Out of PS. Case No.-163 Year-2019 Thana- BARH District- Patna

ABHISHEK KUMAR Son of Rajesh Prasad Yadav @ Rajesh Prasad Resident
of Village- Milkey Paar Milkiya Dayalchak, P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 30-09-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 147, 148,149,307, 353, 120B and 323 of the Indian Penal Code and Section 25(1-B)a, 26, 27 and 35 of the Arms Act and Section 30A, 38 and 41 of the Bihar Excise Act, 2016.

Informant is the police officer who in his self statement has stated that Uday Yadav and his gang is involved in the trade of illicit liquor and received specific information that a big consignment/illicit liquor was to be unloaded from train between Sahari Halt and Barh Station and upon receipt of said information he went there and saw five persons carrying plastic bag on their head and as they saw the police they started fleeing away and further allegation is that they fired upon police,



however, by arrival of more police force they were nabbed and from possession of three miscreants liquor was recovered and from the possession of petitioner one country made pistol and two live cartridge were recovered.

Petitioner has got no criminal antecedent and subsequent to this case he has been remanded in a case as disclosed in para 3 of this petition. Petitioner is in custody since 30.03.2019.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Special Case No. 3438 of 2019 arising out of Baarh P.S. Case No. 163 of 2019**, 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 and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.



(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.

(S. Kumar, J)

ranjan/-

U			
---	--	--	--

