

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78925 of 2018

Arising Out of PS. Case No.-252 Year-2018 Thana- BASOPATTI District- Madhubani

Krishna Kumar Yadav @ Krishna Kumar S/o Ram Naresh Yadav R/vill-
Panch-ratan, P.S-Basopatti, Distt.-Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Adv.

For the Opposite Party/s : Mr. Anant Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 24-01-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody since 23.10.2018, in connection with Basopatti P.S. Case No. 252/2018, registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and section 30(a) of Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that entire allegation against the petitioner is false and mischievous. In the F.I.R. it is not specifically mentioned that as to what exactly was being carried by the petitioner. It is hardly believable that 1800 bottles of liquor could be carried on motorcycles which the petitioner was riding along with other co-associates. He further submits that from plain perusal of the seizure list, it appears that there is no recovery from conscious possession of the petitioner.



Petitioner has no criminal antecedent.

Considering the above-mentioned facts and circumstances and vague nature of allegation, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge 2nd-cum-Special Judge Excise Act, Madhubani in connection with Basopatti P.S. Case No. 252/2018, subject to the conditions:-

(1.) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or wife.

(2.) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3.) 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 reasons, his bail bonds shall be liable to be cancelled 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.

(Anjana Mishra, J)

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