

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78680 of 2018

Arising Out of PS. Case No.-413 Year-2018 Thana- MAIRWAN District- Siwan

Nagendra Yadav, son of Late Hari Shankar Yadav, Resident of Village- Hasa
Tali, P.S. Daraunda, District Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Angad Kunwar, Adv

For the Opposite Party/s : Mr.Sri Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 04-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Mairwa P.S. Case No. 413 of 2018 registered
for the offences punishable under Sections 272, 273, 308 of the
Indian Penal Code and Section 30(a), 38(i), 41(i) of the Bihar
Prohibition and Excise Act, 2016.

Informant who is a police officer has alleged that
while he was checking the vehicle, petitioner on his Maruti car
tried to flee away when he was asked to stop and dashed
against a wall and thereafter he was apprehended while he was
fleeing away and from the Maruti car 172.800 m.l. of Indian
foreign liquor was 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. Nothing was recovered from his conscious possession. Petitioner has no criminal antecedent and is in custody since 22.10.2018.

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-II-cum-Special Judge Excise, Siwan, in connection with Mairwa P.S. Case No. 413 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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