

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59506 of 2019

Arising Out of PS. Case No.-37 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Araria

SHAKTI KUMAR MADHAV @ VICKY Son of Deo Narayan Yadav
Resident of Village - Manikpur, P.S.- Fulkaha, Dist.- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present case is seeking regular bail in connection with Special Case No. 1016 of 2019 arising out of Sadar Circle Excise Case No. 37 of 2019 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case as the petitioner is the driver of the vehicle from which 264 liter of illicit liquors have been recovered. The petitioner was not aware with regard to the transportation of liquor in his vehicle. The owners of the goods loaded in the vehicle were fled away and the petitioner being innocent remained there and was caught. He is in custody since 10.08.2019.

Learned APP has opposed the prayer of bail.



Considering the facts and circumstances of the case wherein there is no case of similar nature against the petitioner and that he has remained in custody for more than three months, let the petitioner above named be released on bail in connection with Special Case No. 1016 of 2019 arising out of Sadar Circle Excise Case No. 37 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special judge, Araria, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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