

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67513 of 2019

Arising Out of PS. Case No.-89 Year-2019 Thana- MUFFASIL District- Aurangabad

Manas Yadav (Male), aged about 31 years, Son of Sri Devlal Yadav, Resident of Village - Dhanhara, P.S.- Jamhore, Distt - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Verma, Advocate
For the State : Mr.Dilip Kumar No.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Aurangabad (Mufassil) P.S. Case No. 89 of 2019 registered for the offence under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that there is no recovery of any illicit liquor from conscious possession of the petitioner.

It is alleged in the written report that police got information that accused persons were unloading huge quantity of illicit liquor which was to be sold by them. The informant along with other police personnel reached the place of occurrence. On seeing the police party, they managed to run



away. In the torch light, local SHO and Chaukidar identified them. It is further alleged that 7171.2 liters of foreign liquor has been recovered from the place of occurrence. Petitioner is in custody since 03.09.2019.

Learned counsel for the petitioner has submitted that the petitioner has filed the informatory petition before the learned C.J.M., Aurangabad, Bihar on 30.11.2018 regarding the behaviour of the local police. He further submits that due to this filing of the informatory petition, the petitioner has been falsely implicated in this case. The another co-accused, namely, Bajrangi Yadav has been granted bail by a Co-ordinate Bench of this Court vide Cr. Misc. No.41045 of 2019 on 09.07.2019 and another co-accused, namely, Vikas Kumar has been granted bail by this Hon'ble Court on 28.08.2019 passed in Cr. Misc. No.53147 of 2019.

In the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Additonal Sessions Judge-VII-cum-Special Judge (Excise), Aurangabad in connection with Aurangabad (Mufassil) P.S. Case No. 89 of 2019, subject to the following conditions :



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

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

(Anjani Kumar Sharan, J)

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