

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63631 of 2019

Arising Out of PS. Case No.-246 Year-2019 Thana- NARPATGANJ District- Araria

=====

NARESH YADAV @ MUNNA @ NARESH KUMAR YADAV Son of
Daroogi Yadav Resident of Village - Pasdaha, Ward No. I, P.S.- Narpatganj,
District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Madhuri Lata

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 03-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act, 2016.

Informant, who is a police officer has alleged in his
written report that he received a confidential information that
Naresh Yadav @ Munna @ Naresh Kumar Yadav, petitioner, his
car is involved in illicit trade of liquor and thereafter he
recovered the said car and the driver Dilip Kumar Yadav could
not produced any valid ownership document and stated that he
has taken this car from Naresh Yadav @ Munna @ Naresh
Kumar Yadav.



It is submitted on behalf of petitioner that he has been falsely implicated in this case on account of High handedness of police. Neither the car is registered in his name nor he is in any manner involved in illicit trade liquor nor any illicit liquor has been recovered from his possession. As such no offence under the Excise Act is made out. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on 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 Narpatganj P.S. Case No. 246/2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C. 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.



(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)

Ranjeet/-

U		T	
---	--	---	--

