

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78915 of 2018

Arising Out of PS. Case No.-193 Year-2018 Thana- MAHISHI District- Saharsa

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Sitaram Yadav S/o Late Ram Bahadur Yadav R/vill-Baghwa, P.S-Mahishi O.P.
Jalai, Distt.-Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Om Prakash Singh, Adv.

For the Opposite Party/s : Mr.Sri Parmanand Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Special Case No. 456 of 2018, corresponding to Mahishi P.S. Case No. 193 of 2018, registered for the offences punishable under Sections 30(a), 38(1) of the Bihar Prohibition and Excise Act, 2016.

Informant who is the police officer has alleged that on receiving secret information that petitioner is indulged in trade of illicit liquor raided the house of petitioner however, he fled away and from outside his door 19 liters of Indian made foreign liquor was recovered kept in a sack.

It has been submitted on behalf of the petitioner that he has no criminal antecedent and nothing was recovered



either from his house or from his conscious possession and he has been falsely implicated in this case. Petitioner is in custody since 16.11.2018.

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 Act, Saharsa, in connection with Special Case No. 456 of 2018, corresponding to Mahishi P.S. Case No. 193 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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