

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70283 of 2019

Arising Out of PS. Case No.-278 Year-2019 Thana- BAIRIYA District- West Champaran

Sanjay Yadav S/o Mahaveer Yadav @ Mahavir Prasad Yadav, R/o Village-
Tadhwa Nandpur, P.S.- Bairiya, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Bairiya P.S. Case No. 278 of 2019 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the co-accused have been granted regular bail by a learned Co-ordinate Bench of this Court in Cr. Misc. 70882 of 2019. The petitioner is in custody since 26.08.2019.

Learned A.P.P. for the State has opposed the prayer for



bail.

Considering the facts and circumstances of the case, wherein it is submitted that the petitioner is in custody since 26.08.2019, the investigation is now complete and the co-accused have been granted regular bail by a learned Co-ordinate Bench of this Court vide order dated 15.11.2019 passed in Cr. Misc. 70882 of 2019, let the petitioner above named be released on bail in connection with Bairiya P.S. Case No. 278 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 Special Judge, Excise, Bettiah, West Champaran, 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.

And a further condition that in case the petitioner is found involved in similar offence in future, the Investigating Officer of this case shall take step for cancellation of bail of this petitioner in the present case also.

(Rajeev Ranjan Prasad, J)

vats/ved

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