

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82245 of 2019

Arising Out of PS. Case No.-183 Year-2019 Thana- LAUKAHI District- Madhubani

Umesh Yadav Son of Gulten Yadav Resident of Village - Kouriyahi, Police
Station- Laukahi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and
Additional Public Prosecutor for the State.

The petitioner seeks bail in Laukahi P.S. Case No. 183 of 2019, registered for the offences punishable under Sections 272, 273 and 414 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

120 litres of foreign liquor is alleged to have been recovered from straw house of this petitioner which is situated near the road.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. Nothing has been recovered from possession of this petitioner. The said straw house does not belong to the petitioner. The provision of section 100 Cr.P.C has not been



followed. Petitioner is in custody since 03.10.2019.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional District and Sessions Judge-cum-Special Judge Excise Act, Madhubani in connection with Laukahi P.S. Case No. 183 of 2019, G.R. No. 1643/19, subject to the conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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