

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82640 of 2019

Arising Out of PS. Case No.-170 Year-2019 Thana- BACHHWARA District- Begusarai

VIJAY KUMAR YADAV @ VIJAY YADAV Son of Ashok Yadav Resident of
Village - Narepur Pashchimi ward No. 5, P.S.- Bachhwara, District –
Begusarai. ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Jai Prakash Singh, Advocate
For the Opposite Party : Mr.Atul Chandra, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-12-2019 Heard learned counsel for the petitioner as well as
learned counsel for the State.

Petitioner is an accused in a case registered for the
offence punishable under section 30a of the Bihar Prohibition
and Excise Act, 2016.

19.930 liters Foreign liquor was recovered from a bag
kept on a motorcycle where the petitioner's motorcycle was also
parked.

Learned counsel for the petitioner submits that he has
got no criminal antecedent, he is neither the owner of the
motorcycle in question nor he is anyway concerned with the
recovery. Mandatory provisions of section 100 Cr.P.C. has not
been followed for search and seizure. Petitioner is in custody
since 14.10.2019, though nothing incriminating has been
recovered from his conscious possession.

In view of the facts and circumstances of the case,
prayer for bail of the petitioner is allowed. Let the petitioner,
mentioned above, be released 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 Additional Sessions Judge II cum



Special Judge, Begusarai in Bachhwara Police Station Case No. 170 of 2019, on the following conditions:-

(1) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

Shashi

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

